



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korieski, Director

June 29, 2010

**RE: NOTICE OF VIOLATION AT HIGH-
PRIORITY TITLE V FACILITY – GC7**

CERTIFIED MAIL

Ms. Claudia Ferrini, EHS Manager
Oberlin College
Service Bldg., 1st Floor
173 W. Lorain Street
Oberlin, OH 44074

RE: Division of Air Pollution Control NO_x RACT rule requirements regarding combustion emissions units located at Oberlin College – Facility ID: (02-47-10-0408)

Dear Ms. Ferrini:

The purpose of this letter is to notify you that Oberlin College has emissions unit(s) that are subject to the Reasonably Available Control Technology (RACT) rule requirements for nitrogen oxides (NO_x) emissions within Ohio Administrative Code (OAC) Chapter 3745-110 because the plant has a facility-wide potential to emit of more than 100 tons/year of NO_x. Oberlin College is in violation of OAC rule 3745-110-04(A)(1)(a), which requires a compliance certification with the presumptive NO_x emission limitation as specified in OAC rule 3745-110-03 for natural gas-fired boilers. Specifically, emissions unit B003 is subject to the NO_x RACT rule requirements and the presumptive NO_x emission limitation of 0.10 lb/MMBtu. Compliance certification (via stack testing) for emissions units subject to paragraphs (A) through (F) of OAC rule 3745-110-03 were due 120 days after the effective date of this rule (i.e., April 20, 2008).

During the 6/21/10 meeting between Oberlin College, RCA Management, Inc. on behalf of Oberlin College, and Ohio EPA, there was a discussion about the NO_x RACT rule applicability to the coal-fired boilers (B001 & B002), which may also be subject, depending on the size classification as defined in OAC rule 3745-110-01.

1. Please submit a report of a NO_x RACT rule applicability evaluation to Ohio EPA by **8/02/10** for the following emissions units:
 - a. (B001 & B002) 50 mmBtu/hr coal-fired boiler nos. 1 & 2 – Please submit documentation of the name plate maximum heat input capacity of each one. The boiler name plate capacity should be reported to the nearest one-tenth decimal value, if possible. Provide a statement of applicable OAC rule 3745-110-03 requirements for each one.
 - b. (B003) 61.5 mmBtu/hr natural gas boiler – Please confirm with Ohio EPA's finding that this emissions unit is subject to the applicable requirements in OAC Chapter 3745-110 or, in the alternative, determine if it is subject to an exemption in OAC rule 3745-110-03(J) and provide supporting information. If needed, provide a statement of applicable OAC rule 3745-110-03 requirements.

- c. An identification of all other NO_x emission units (i.e. stationary combustion turbines, stationary internal combustion engines and any other NO_x emitting unit) at Oberlin College. Please determine if each one is subject to the requirements of OAC Chapter 3745-110 or in the alternative meets any of the exemption standards specified in OAC rule 3745-110-03(J) and provide supporting information. If needed, provide a statement of applicable OAC rule 3745-110-03 requirements.
2. If any emissions unit is subject to the NO_x RACT rule, please submit by **8/31/10** a compliance plan and schedule, which shall include the following items:
 - a. Submit final compliance plan by 8/31/10.
 - b. Provide a brief description of the complete control plan or strategy by 8/31/10.
 - c. Award contracts for emissions control systems, process modifications; or, issue orders for the purchase of component parts to accomplish emissions control or process modification by _____.
 - d. Initiate on-site construction or installation of emissions control equipment or process change by _____.
 - e. Complete on-site construction or installation of emissions control equipment or process change by _____.
 - f. Achieve final compliance by _____.

Specific questions about the NO_x RACT rule requirements should be addressed to Mr. Alan Harness who may be contacted at (614) 644-4838, or via e-mail at Alan.Harness@epa.state.oh.us. A copy of the DAPC rules are currently available at our website, <http://www.epa.ohio.gov/>; select "Air" in the top subject bar, select "Regulations" in the topic box and click on the "Effective Rules" button.

Copies of the NO_x RACT rule applicability evaluation report and if needed, a compliance plan, must be sent to the following Ohio EPA representatives:

- a. Mr. Alan Harness
SIP & Enforcement
Division of Air Pollution Control
Ohio EPA, CO
P.O. Box 1049
Columbus, OH 43215; and
- b. Ms. Christine McPhee
Ohio EPA, NEDO
2110 East Aurora Rd.
Twinsburg, OH 44087

MS. CLAUDIA FERRINI, EHS MANAGER
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Failure to respond to this notice in the time frame specified may result in further enforcement action up to and including a referral to the Central Office of Ohio EPA for appropriate action. Also note that this Notice of Violation in no way waives the right of the Ohio EPA or USEPA to pursue additional enforcement action regarding the violations discussed in this notice, and/or any additional violations that may be found. If you are unable to respond to any part of this request within the time frame(s) discussed above, please inform this Agency. Should you have any general concerns about this correspondence, please do not hesitate to contact me at christine.mcphee@epa.state.oh.us or (330) 963-1205.

Status of Application for Renewal Title V Operating Permit (# P0085479)

Applicable NO_x RACT rule requirements will need to be cited in the terms for a draft Title V operating permit. Should significant time be required to implement the NO_x RACT rule requirements, then the permit may need to have a compliance schedule that identifies the relevant tasks needed to achieve compliance.

Sincerely,



Christine McPhee
Environmental Specialist
Division of Air Pollution Control

CM:bo

pc: Tim Fischer, DAPC, Ohio EPA, NEDO
Tom Kalman, Enforcement Section, DAPC, Ohio EPA, CO
Lisa Holscher, U.S. EPA, Region 5

ec: Claudia Ferrini, Oberlin College - claudia.ferrini@oberlin.edu
Dave Pastorius, Oberlin College - dave.pastorius@oberlin.edu
Robert Anderson, RCA Management, Inc. - rsanderson@rcamanagement.com
Misty Koletich, DAPC, Ohio EPA, NEDO
Alan Harness, DAPC, Ohio EPA, CO