



August 14, 2012

Union County
Ohio Reformatory for Women
Facility ID: 0180010017
Notice of Violation

Myron Mast
Ohio Reformatory for Women
1479 Collins Avenue
Marysville, OH 43040

Re: **Notice of Violation**
2012 Compliance Inspection

Dear Mr. Mast:

On July 26, 2012, Ohio EPA Central District Office (CDO) conducted a Full Compliance Evaluation (FCE) of the Ohio Reformatory for Women, in Marysville, Ohio. The purpose of the inspection was to evaluate compliance with the terms and conditions of the facility's air permits along with state and federal rules and regulations.

Compliance was assessed based upon an examination of the emissions unit at the facility, an examination of monitoring and recordkeeping files maintained at the facility and a review of compliance reports and fee emissions reports maintained at CDO. Below is a summary of the inspection findings, violations (if any), and action items that need to be addressed.

1. **Finding**

During the review of compliance reports submitted to Ohio EPA, CDO staff observed that reporting was not being conducted in accordance with the requirements of Permit-to-Install and Operate (PTIO) P0103985.

Section C.1.e) of PTIO P0103985 states:

“(3) The permittee shall submit quarterly deviation (excursion) reports that identify:

a. all deviations (excursions) of the following emission limitations, operational restrictions and/or control device operating parameter limitations that restrict the potential to emit (PTE) of any regulated air pollutant and have been detected by the monitoring, record keeping and/or testing requirements in this permit:

i. the use of only natural gas or No. 2 fuel oil,

- ii. *the No. 2 fuel oil sulfur content limitation of no more than 0.5 weight percent sulfur, and*
- iii. *the rolling 12-month No. 2 fuel oil usage limitation for emission units B012 and B006.*
- b. *the probable cause of each deviation (excursion);*
- c. *any corrective actions that were taken to remedy the deviations (excursions) or prevent future deviations (excursions); and*
- d. *the magnitude and duration of each deviation (excursion).*

If no deviations (excursions) occurred during a calendar quarter, the permittee shall submit a report that states that no deviations (excursions) occurred during the quarter.

The quarterly reports shall be submitted, electronically through Ohio EPA Air Services, each year by January 31 (covering October to December), April 30 (covering January to March), July 31 (covering April to June), and October 31 (covering July to September), unless an alternative schedule has been established and approved by the Director (the appropriate District Office or local air agency).

[OAC rule 3745-15-03(B)(1)(b) and OAC rule 3745-15-03(C)]

- (4) *Annual Permit Evaluation forms will be mailed to the Permittee at the end of the reporting period specified in the Authorization section of this permit. The Permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit."*

Since PTIO P0103985 was issued on May 19, 2009, the Ohio Reformatory for Women has failed to submit quarterly deviation reports and permit evaluation reports by their required due dates, as outlined in the following table.

Type of Report	Due Date	Date Submitted
Quarterly Deviation Report	July 31, 2009	July 30, 2009
Permit Evaluation Report	August 15, 2009	Not submitted
Quarterly Deviation Report	October 31, 2009	Not submitted
Quarterly Deviation Report	January 31, 2010	Not submitted
Quarterly Deviation Report	April 30, 2010	Not submitted
Quarterly Deviation Report	July 31, 2010	Not submitted
Permit Evaluation Report	August 15, 2010	August 9, 2012
Quarterly Deviation Report	October 31, 2010	Not submitted
Quarterly Deviation Report	January 31, 2011	Not submitted
Quarterly Deviation Report	April 30, 2011	Not submitted
Quarterly Deviation Report	July 31, 2011	Not submitted
Permit Evaluation Report	August 15, 2011	August 9, 2012
Quarterly Deviation Report	October 31, 2011	Not submitted
Quarterly Deviation Report	January 31, 2012	Not submitted
Quarterly Deviation Report	April 30, 2012	Not submitted
Quarterly Deviation Report	July 31, 2012	August 9, 2012
Permit Evaluation Report	August 15, 2012	August 9, 2012

Violation

Failure to submit quarterly deviation reports and annual permit evaluation reports by their due dates is considered a violation of the terms and conditions of PTIO P0103985. Violations of the terms and conditions of an issued PTIO are also considered violations of Ohio Revised Code (ORC) 3704.05(C), which states:

"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

Requested Action

Ohio EPA requests that the Ohio Reformatory for Women submit all future required reports as specified by the terms and conditions of their effective permits. All reports must be submitted electronically through Air Services.

2. Finding

CDO personnel observed nine emergency electrical generators installed at the Ohio Reformatory for Women. Two of the emergency electrical generators (emissions units

B004 and B005) were issued Permits-to-Install on January 9, 1992 and Permits-to-Operate on May 1, 1992. On August 9, 2012, Ohio EPA received a permit-by-rule notification for emissions units B004, B005, as well as the 2,250 kW main emergency electrical generator. Ohio EPA has not received permit applications or permit-by-rule notifications for the six remaining emergency electrical generators.

OAC rule 3745-31-03 states:

"A permit-to-install or PTIO as required by rule 3745-31-02 of the Administrative Code must be obtained for the installation or modification, and operation of an air contaminant source unless exempted from the requirements as follows:

Permit-by-rule exemptions

The following air contaminant sources are exempt from the requirement to obtain a permit-to-install or PTIO. These exemptions are valid only as long as the owner or operator complies with all of the permit-by-rule general provisions, meets the qualifying criteria defined in the applicable permit-by-rule and complies with all of the requirements under the applicable permit-by-rule specific provisions. ...

Emergency electrical generators, emergency water pumps, or emergency air compressors powered by internal combustion engines greater than fifty horsepower (37.3 Kilowatts) where each engine operates at any one facility for no more than five hundred hours per rolling twelve-month period and where such engine burns gasoline, natural gas, distillate oil (with less than or equal to 0.5 per cent by weight sulfur), or liquid petroleum gas and that maintains the following records:

- (i) Monthly records that contain the rolling twelve-month hours of operation; and*
- (ii) Records that show the type of fuel used and the sulfur content (in percent by weight) of any distillate oil used."*

Violation

The installation and operation of emergency electrical generators without following the provisions of the permit-by-rule exemption or obtaining a PTIO is considered a violation of Ohio Administrative Code (OAC) 3745-31-02(A) which states:

"Except as provided in rule 3745-31-03 of the Administrative Code, no person shall cause, permit, or allow the... installation, or modification and subsequent operation of any new source ... without first obtaining a PTIO from the director."

Requested Action

CDO requests that the Ohio Reformatory for Women submit a permit-by-rule notification or a PTIO application for the emergency electrical generators located in the following locations: CFC/Medical, MCC, Kennedy, Warehouse, Shirley and Rogers. Please submit electronically through Air Services either a complete permit-by-rule notification or PTIO applications for the emergency electrical generators within thirty (30) days of receipt of this letter.

Additional Observations

CDO staff observed that the Ohio Reformatory for Women did not conduct an emissions test on the Cleaver-Brooks boiler (emissions unit B012). Section C.1.f(2) of P0103985 contains the testing requirements of 40 CFR Part 60, Subpart Dc and states:

"The permittee shall conduct, or have conducted, an initial performance test for this emissions unit (if the emissions test has not already been conducted) in accordance with the following requirements:

- a. The emission testing shall be conducted within 60 days after achieving the maximum production rate but no later than 180 days after issuance of this permit;*
- b. The emission testing shall be conducted to demonstrate compliance with the visible particulate emission limitation, while burning fuel oil."*

As discussed during the inspection, B012 has never burned fuel oil. Therefore, emission testing while burning fuel oil has not been necessary. If the Ohio Reformatory for Women decides to burn fuel oil in B012, emission testing must be performed in accordance with 40 CFR Part 60, Subpart Dc and the terms and conditions of P0103985.

The Ohio Reformatory for Women is currently in the process of replacing their three permitted boilers (emissions units B006, B007 and B012) with eight 3 MMBtu/hr natural gas-fired condensing hot-water boilers. Upon removal of the permitted boilers, the Ohio Reformatory for Women should change the status of the boilers from operating to shutdown in Air Services.

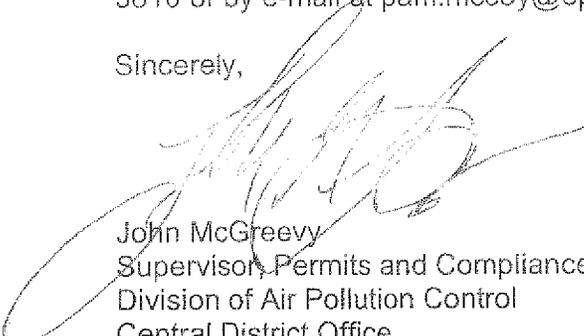
Please note that Ohio EPA has the authority to seek civil penalties as provided in the ORC Section 3704.06. Submittal of the above requested information, including records and reports, does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the

Myron Mast
Ohio Reformatory for Women
Page -6-

ORC Section 3704.06. The determination to pursue such penalties in this case will be made by Ohio EPA at a later date.

If you have any questions, please do not hesitate to contact Pam McCoy by phone at (614) 728-3810 or by e-mail at pam.mccoy@epa.ohio.gov.

Sincerely,



John McGreevy
Supervisor, Permits and Compliance
Division of Air Pollution Control
Central District Office

c: John Paulian, Supervisor, DAPC/CO
Adam Ward, Assistant Chief, CDO

e: John McGreevy, Supervisor, DAPC/CDO

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