



**AKRON REGIONAL
AIR QUALITY MANAGEMENT DISTRICT**

*Agent of the Ohio Environmental Protection Agency • Division of the Akron Health Department
Serving Medina, Portage and Summit Counties*

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L. M. Malcolm, P.E.
Administrator

May 7, 2008

**CERTIFIED MAIL
NOTICE OF VIOLATION
HPV - MATRIX 2 & DISCRETIONARY**

Mr. Rick Pucak
Akron Thermal
226 Opportunity Parkway
Akron, OH 44307

Dear Mr. Pucak:

This letter is in response to the submission of the 1st quarter of 2008 Title V deviation reports received on April 31, 2008.

As you are aware, Akron Thermal disclosed that it has exceeded the operational restriction limiting the combustion of TDF/wood mixture in boilers B003 and B004 to 61,654 tons per month combined, as a 12-month summation. Akron Thermal indicated 12-month rolling summations of 76,846 tons, 79,111 tons, and 77,432 tons for January, February, and March, respectively. Be advised that this situation constitutes a violation of Ohio Revised Code 3704.05(J)(2).

In addition, the deviation report fails to identify the probable cause of the deviations, and any corrective actions or preventive measures to eliminate future deviations as required by the general standard terms and conditions of your Title V permit.

Please submit within fourteen (14) days of receipt of this letter, the probable cause and your proposed resolutions to these violations that will ensure that they do not occur in the future. Also, include the associated rolling 12-month summations of PE/PM-10, NO_x, and CO emissions from B003 and B004, calculated in accordance with the methodology stated in Part III, section A.II.2 of your Title V operating permit, for the periods of time where you exceeded your operational restriction.

This notice of violation in no way waives the rights of Ohio EPA or USEPA to pursue additional enforcement action in this matter, including the assessment of civil penalties. The decision to pursue, or decline to pursue, additional enforcement in this matter will be made at a later date.

If you have any questions, please call.

Sincerely,

Sean Vadas
Air Quality Engineer

cc: Lisa Holscher, USEPA Region V
Erik Hardin, USEPA Region V
Tom Kalman, Ohio EPA
Frank Markunas, ARAQMD CITICENTER - SUITE 904

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