

**SOUTHWEST OHIO
AIR QUALITY AGENCY**

HPV-608

August 31, 2012

Jan-Arthur Utrecht
University of Cincinnati
P.O. Box 210218
Cincinnati, OH 45221-0218

Certified Mail-Return Receipt Requested

Re: NOTICE OF VIOLATION - Compliance Test Failed
Facility ID: 1431070849
University of Cincinnati
Location: Clifton Campus,
Cincinnati, OH 45221
Hamilton County

Dear Jan-Arthur Utrecht:

On June 26, 2012, Grace Consulting, Inc. performed a particulate emission compliance test at the facility indicated above on 200 Lbs./hr Pathological Waste Incinerator, N005. Ohio EPA received the test report on August 2, 2012. The test report has been reviewed and we have concluded that the test was conducted according to the procedures specified in 40 CFR Part 60, Appendix A, U.S. EPA Test Methods ([USEPA reference methods 1-5). The results of the test showed the source to be out of compliance with the applicable Ohio EPA regulations and your facility permit terms and conditions.

Our test review shows the following:

- I. Tested Emission Rate: 1.07 lb. particulate emissions/100lbs. waste material charged
- II. Allowable Emission Rate: 0.10 lb. particulate emissions/100lbs. waste material charged
- III. Source Operating Rate: 96 lbs./hour
- IV. Isokinetic Rate: Run #1 – 95.5%; Run #2 – 98.9%; Run #3 – 96.5%

- I. Tested Emission Rate: 187.7 ppm, by volume, on a dry basis, adjusted to 7% O₂
- II. Allowable Emission Rate: 100 ppm, by volume, on a dry basis, adjusted to 7% O₂

The results of the test show PE emissions from N005 in exceedance of 0.10 lb./100 lbs. waste material charged, in violation of Ohio Administrative Code (OAC) 3745-105-02(B) and your facility permit terms and conditions. The allowable Carbon Monoxide emission rate was also exceeded, in violation of OAC 3745-105-02(D), and visible particulate emissions exceeded the emissions of five per cent opacity except for six minutes in any continuous sixty minute period during which opacity shall not exceed ten per cent.

This is the third failure for this emissions unit to demonstrate compliance with the allowable emissions rate, having also failed on May 27, 2009, and March 3, 2010.



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In order to address this violation, please submit to this office, within 30 days of receipt of this letter, a new plan and schedule for achieving compliance. Submit this plan to the attention of Gregory Howard.

Acceptance by the Ohio EPA of a schedule for compliance does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or decline such penalties in this case will be made at a later date. Failure to comply with the requirements of this letter may result in additional enforcement action including possible referral of this case to the Office of the Attorney General.

The violations identified above also constitute a violation of Title X, City of Cincinnati Municipal Code and the City of Cincinnati Health Department rules. Title X is enforced by the City Solicitor's Office and the City of Cincinnati Health Department rules are enforced by Hamilton County Environmental Services. The City Solicitor's Office has requested that this agency notify them of all Title X violations identified by this agency. Consequently, a copy of this Notice of Violation has been sent to the City Solicitor's Office. The City Solicitor's Office has requested that a copy of all compliance plans be forwarded to their office. Therefore, please send a copy of the compliance plan to the City Solicitor's Office, attn: Heidi Rosales, City Hall Room 226, 801 Plum Street, Cincinnati, Ohio, 45202.

Acceptance by the Ohio EPA of a compliance plan and schedule does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Revised Code. The determination to pursue or to decline to pursue such penalties in this case will be made by the Ohio EPA at a later date.

If you have any questions, please contact me at (513) 946-7721 or E-mail gregory.howard@hamilton-co.org.

Sincerely,



Gregory L. Howard
Environmental Compliance Specialist
Hamilton County Dept. of Environmental Services

cc: Brude Weinberg, Ohio EPA
William Macdowell, USEPA