

Air Pollution Control Division



Ohio Environmental Protection Agency

APC Contractual Representative
Serving All of Stark County

Canton City Health Department

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Terri A. Dzienis
APCD Administrator

James M. Adams, RS, MPH
Health Commissioner

December 10, 2012

CERTIFIED MAIL

Louis Criswell, Director
Stark County Humane Society
P.O. Box 7077
Canton, OH 44705
lou@starkhumane.org
330-453-5529

Re: NOTICE OF VIOLATION; Significant Violation

Category/Categories:

1. Excess Emissions, 2. Operational Restrictions, 3. Monitoring & Recordkeeping

Facility Name: Stark County Humane Society

Location: 5100 Peach Street NE, Louisville, Ohio, Stark County

Facility ID: 1576001638

Dear Louis Criswell:

At approximately 12:30 PM on November 15, 2012, Denny Tan, Monitoring & Inspection Supervisor, Canton City Health Department, Air Pollution Control Division (Canton, APCD), observed dark, black smoke coming from the stack of your cremator, emissions unit ID N001. While the dark smoke was still being emitted, Denny met with you and Eddie Sells and was told that the dark smoke was an abnormal event being caused by the cremation of an unusually large, overweight dog. At approximately 12:45 PM, Denny took photos of the stack and the cremator's control panel (see photos 1 and 2, below). Temperature readings were 1975 deg F and 1899 deg F for the primary and secondary chambers, respectively. Then, from 12:50 PM – 1:07 PM, Denny performed U.S. EPA Method 9 Visible Emissions Observations. At the beginning of these observations, no visible smoke was being emitted, but after 7 minutes smoke was once again visible, although much lighter than before (see photo 3, below). Finally, at 1:10 PM, while the cremation cycle was still in progress, Denny recorded temperature readings of 993 deg F and 988 deg F for the primary and secondary chambers, respectively.

On December 4, 2012, I met with you and Jackie Godbey as a follow-up to Denny's inspection and to review the terms and conditions of your active permits. We also discussed your plans to replace your existing cremator within the next few months, and that the supplier of the new unit would be assisting you in the preparation of the Permit-to-Install and Operate (PTIO) application. I also conducted a partial inspection of your facility. Based on our meeting, my inspection, and my review of Denny Tan's report from his November 15 inspection (ref Complaint ID 7919), I believe there have been some violations of your applicable permit requirements. Below is a summary of my findings and violations, followed by requested actions necessary to address the stated violations.

Finding #1:

On November 15, 2012, at approximately 12:30 PM, Denny Tan of Canton APCD observed dark smoke well in excess of 5% opacity coming from the stack of the cremator at your facility, identified as Emissions Unit ID No. N001. At approximately 12:45 PM, Denny photographed emissions from the stack that were also well in excess of 5% opacity (see photo 1, below). Then, for seventeen minutes from 12:50 PM – 1:07 PM, Denny performed U.S. EPA Method 9 Visible Emissions Observations for the emissions from this stack. A copy of his report is attached to this letter. The report shows that all readings from minutes 1 – 7 were “zero” opacity, and all readings from minutes 8 – 17 were between 10% and 25% opacity. It is my finding that emissions exceeded 5% opacity for more than 10 minutes during the 60 minute period beginning at 12:30 PM.

Violation of:

Permit-to-Install (PTI) No. 15-538, issued March 28, 1990, Additional Special Terms and Conditions No. 8, which states that:

“Opacity from the emissions from this unit shall not exceed 5 percent opacity for more than 10 minutes in any continuous 60 minute period as determined by the United States Environmental Protection Agency Method Nine.” [established as Best Available Technology (BAT) pursuant to OAC rule 3745-31-05]

The above term is worded slightly differently in the most recent Permit-to-Operate (PTO), issued November 10, 2003, Part II: Special Terms and Conditions, No. A.1.:

“Visible emissions from the stack shall not exceed 5% opacity for more than 10 minutes in any continuous 60 minute period.”

Finding #2:

At 1:10 PM on November 15, 2012, Denny Tan observed a secondary chamber (aka afterburner) temperature reading of 988 deg F during a cremation cycle. During my visit on December 4, 2012, I observed a secondary chamber temperature reading of 874 deg F during a cremation cycle.

Violation of:

Permit-to-Install (PTI) No. 15-538, issued March 28, 1990, Additional Special Terms and Conditions No. 5, which states that:

“The incinerator shall not be operated with the afterburner temperature below 1000° F.” [established as Best Available Technology (BAT) pursuant to OAC rule 3745-31-05]

The above term is worded slightly differently in the most recent Permit-to-Operate (PTO), issued November 10, 2003, Part II: Special Terms and Conditions, No. B.2.:

“The secondary combustion chamber temperature shall be maintained at 1000 degrees Fahrenheit or greater during each cremation cycle.”

Finding #3:

During my visit on December 4, 2012, I requested to see your afterburner temperature log and you responded that you did not have a written record of afterburner temperature readings.

Violation of:

The most recent Permit-to-Operate (PTO), issued November 10, 2003, Part II: Special Terms and Conditions, No. C.2., which states that:

"The permittee shall maintain a log to record the temperature of the secondary combustion chamber in degrees Fahrenheit. The temperature shall be recorded at the start of each combustion cycle (when charge is added to the chamber) and every thirty minutes until the combustion is complete. The log shall be kept on site and made available to the Canton local air agency personnel upon request."

Note: The PTO also includes a requirement that all deviations from the 1000 deg F minimum temperature requirement be reported in writing to the Canton local air agency within 30 days after the deviation occurs. Canton APCD has no records of any reported deviations.

Also, regarding Finding #'s 1-3 above, violation of the terms and conditions of an active PTI or PTO is also considered a violation 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 Actions:

1. Immediately upon receipt of this letter, revise your operational procedures to ensure that the secondary combustion chamber temperature is maintained at 1000 degrees Fahrenheit or greater during each cremation cycle.
2. Immediately upon receipt of this letter, begin maintaining a written log to record the temperature of the secondary combustion chamber in degrees Fahrenheit at the start of each combustion cycle (when charge is added to the chamber) and every thirty minutes until the combustion is complete. Each temperature record must include the date, time of day, and the name or initials of the operator making the entry.
3. Within one week after you have recorded temperatures as described in item 2. above for a minimum of 10 operating days (days during which cremation occurs), send a copy of the written log to the attention of Carl Safreed at Canton APCD. A scanned email attachment of the log will be acceptable.
4. At the same time you submit a copy of the log as requested above (or sooner if you prefer), please submit a written statement of your intention to replace your existing cremator with a new unit. Please include an estimate of your expected start-up date and an acknowledgement of your requirement to submit a Permit-to-Install and Operate (PTIO) application to Canton APCD prior to installation.

Additional Information:

Please note also that this letter or information pursuant to this letter 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. Ohio EPA will determine later whether to pursue such penalties in this case.

Louis Criswell
December 10, 2012
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If you have any questions, please contact me at the phone number or email address shown below.

Sincerely,



Carl Safreed, P.E.
Air Pollution Control Engineer
Direct line 330-438-4682
csafreed@cantonhealth.org

cc: Bruce Weinberg, Ohio EPA DAPC (via email)
Brian Dickens, U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604
Denny Tan, Canton APCD (via email)
Correspondence file for facility 1576001638 in STARS2
Canton APCD hardcopy facility file

Photos below on page 5.

Attachment: Method 9 Visible Observation Report dated 11/15/2012

Photo 1, taken by Denny Tan at approximately 12:45 PM 11/15/2012

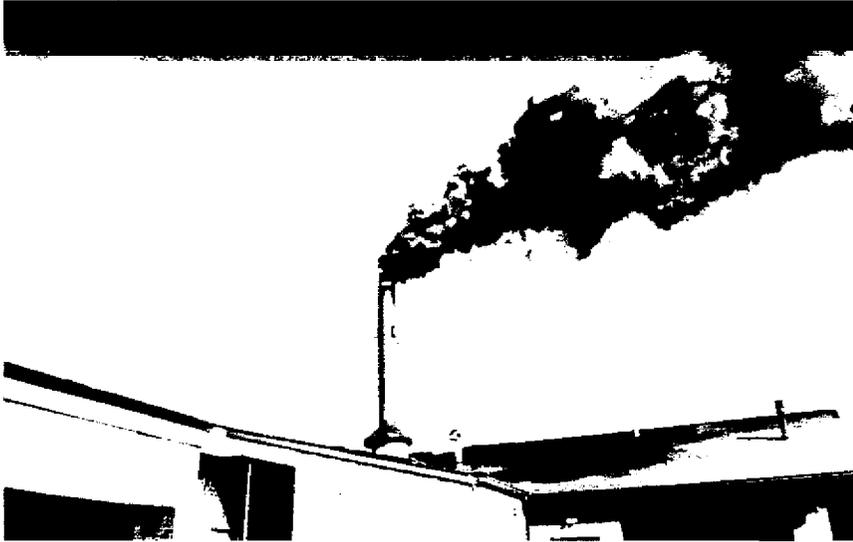


Photo 2, taken by Denny Tan at approximately 12:45 PM 11/15/2012

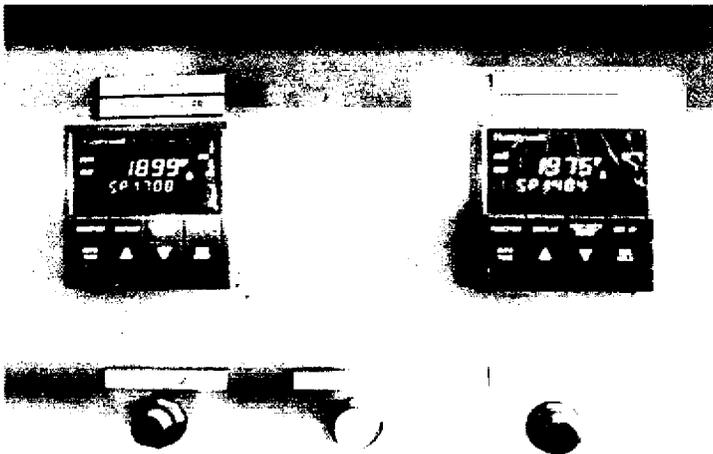


Photo 3, taken by Denny Tan between 12:50 and 1:07 PM 11/15/2012



