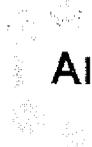


NON-HPV

 **SOUTHWEST OHIO
AIR QUALITY AGENCY**

12/20/2012

Certified Mail

Andrew Roebel
Duke Energy Ohio, Wm. H. Zimmer Station
P.O. Box 960, EM740
Cincinnati, OH 45202

Re: NOTICE OF VIOLATION -
Facility ID: 1413090154
Duke Energy Ohio, Wm. H. Zimmer Station
Location: 1781 US Route 52,
Moscow, OH 45153-9705
Clermont County

Dear Andrew Roebel:

The Southwest Ohio Air Quality Agency (Agency) has reviewed the 2012 Third Quarter Excess Emissions report. Based on the review, the summary of that report indicates that emissions unit B008 had nonexempt visible particulate emissions in excess of five percent of the sources total operating time for that quarter. The actual percent of non exempt emissions was 5.38%.

This exceedance constitutes a violation of the OAC rule 3745-17-07 and the terms and conditions of PTI 14-1036 (issued on April 1, 1992) and the Title V Permit to Operate (issued on November 18, 2004). The violations identified above also constitute a violation of ORC 3704.05(C).

Please submit to this office, within 30 days of receipt of this letter, a plan and schedule for achieving compliance. Submit this plan to the attention of Mike Schierloh. This letter or information pursuant to this letter does not constitute a waiver of the Ohio Environmental Protection Agency's (EPA) 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.

The violations identified above also constitute a violation of the Clermont County General Health District rules. The Clermont County General Health District rules are enforced by the Southwest Ohio Air Quality Agency.

If you have any questions, please contact me at 513-946-7716 or E-mail

Andrew Roebel
Duke Energy Ohio, Wm. H. Zimmer Station
12/20/2012
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mike.schierloh@hamilton-co.org

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Schierloh". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Mike Schierloh
Southwest Ohio Air Quality Agency

cc: Bruce Weinberg, Central Office, Ohio EPA
Brian Dickens, Region 5 U.S. EPA