



**Environmental
Protection Agency**

John R. Kasich, **Governor**

Mary Taylor, **Lt. Governor**

Scott J. Nally, **Director**

Re: Williams County
Airgas Specialty Gases, Inc.
Voluntary Audit Disclosure Inspection
Notice of Violation (NOV/Non-HPV)

October 17, 2012

CERTIFIED MAIL

Mr. Robert Steiner, Plant Manager
Airgas Specialty Gases, Inc.
24075 State Highway 6
Stryker, Ohio 43215

Dear Mr. Steiner:

The Ohio EPA, Northwest District Office (NWDO) received two environmental audits from Airgas Specialty Gases, Inc. (Airgas) disclosing alleged air pollution violations on August 24, 2012 and September 28, 2012. A facility inspection was then conducted on October 3, 2012 to discuss and investigate the alleged violations. As a result of the company's self-audit, the facility inspection and a review of the company's files, the following violations were discovered:

- (1) Based on information provided in the voluntary audit disclosure, it is NWDO's understanding that Airgas purchased the facility from Conley Gas on or about January 3, 2011. The facility had never been issued a permit from the Ohio EPA at the time of purchase. After purchasing the facility, Airgas made some modifications to the processes which included installation of more pressure relief valves and check valves.
- (2) In a letter dated August 24, 2012, Airgas disclosed that there are several unpermitted sources associated with the ethylene repackaging operations that require a permit to install and operate (PTIO). Installation of an emissions unit without first obtaining proper permits is a violation of OAC rule 3745-31-02 and ORC 3704.05. The unpermitted sources identified are as follows:
 - a. An ethylene storage tank with 11,000 gallon capacity;
 - b. Ethylene tank trailer depressurization;
 - c. Ethylene tube trailer evacuation;

In lieu of obtaining permits for the ethylene repackaging operations, the facility has proposed upgrades to the process which will reduce emissions for these sources below the de minimis threshold, qualifying them for a permit exemption pursuant to OAC rule 3745-15-05 and ORC 3704.011. During the inspection, a tentative timeline for the project was discussed with the full implementation date being April 2013. Ohio EPA is requesting calculations be submitted for the current ethylene repackaging operations and the proposed modified ethylene repacking operations.

- (3) As a follow up to the June 2012 audit, the company has submitted a supplemental voluntary disclosure letter dated September 28, 2012, which identifies an additional unpermitted source associated with the carbon monoxide (CO) repackaging operations that require a PTIO. Installation of this emissions unit without first obtaining a proper permit is a violation of OAC rule 3745-31-02 and ORC 3704.05. The unpermitted source that the facility identified in the letter dated September 28, 2012, are as follows:

a. Industrial gas cylinder loading of CO.

The company has agreed to submit a completed PTIO application in accordance with OAC rule 3745-31-02 and ORC 3704.05 associated with the CO repackaging operation since emissions exceed the de minimis permit exemption threshold pursuant to OAC rule 3745-15-05 and ORC 3704.011. The application will be submitted no later than November 28, 2012.

- (4) The facility also conducts methane repackaging operations which were discussed during the inspection. Under OAC rule 3745-31-34, methane is defined as a greenhouse gas and is regulated as part of the Prevention of Significant Deterioration (PSD) and Title V permitting programs. Based on the facility's current potential greenhouse gas emissions, Airgas would not be subject to regulation under the PSD or Title V programs in accordance with OAC rule 3745-31-34(F) or OAC rule 3745-77-11(A). The facility emits methane below permitting applicability thresholds associated with greenhouse gas emissions.

Please submit the information requested in item (2) above by November 1, 2012. Please note that the submission of the requested information to respond to this letter does not constitute a waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

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Please feel free to contact me with any comments and/or questions at (419) 373-3110
or email alyse.johnson@epa.state.oh.us.

Sincerely,



Alyse Johnson
Division of Air Pollution Control

/llr

Certified Mail Receipt Number 7009 1410 0001 1834 4867

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