

NON-HPV

**SOUTHWEST OHIO
AIR QUALITY AGENCY**

January 15, 2013

Certified Mail- Return
Receipt Requested

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

Re: NOTICE OF VIOLATION - Compliance Test Not Completed in accordance with
40 CFR 63.6615 for Cummins KTA50-G9 Series, Model DFLE, 1.5 MWe output
diesel generator engine located outside East Campus Utility Plant (ECUP) (P008)

Facility ID: 1431070849
University of Cincinnati
Location: Clifton Campus,
Cincinnati, OH 45221
Hamilton County

Dear Mr. Jan-Arthur Utrecht:

This agency is in receipt of your correspondence of December 14, 2012, requesting the
rescheduling of emission testing of P008 from December 14, 2012, to a later date due
to excessive heating of the exhaust header.

Failure to complete emission testing in the timeframe required is a violation of the terms
and conditions of Permit to Install P0105931, Ohio Revised Code (ORC) 3704.05(C),
and 40 CFR 63.6615.

In order to address these compliance deficiencies, please submit the following
compliance plan and schedule for each of the aforementioned emissions units. Submit
this plan to the attention of Kerri Castlen.

Milestone	Date
Date by which a complete Intent to Test (ITT) will be submitted	_____
Date by which the required emissions testing will be completed	_____



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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 214, 801 Plum Street, Cincinnati, Ohio, 45202.

Please submit the requested information by **January 31, 2013**. Acceptance by the Ohio EPA of requested information 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.

If you have any questions, or if I can be of any assistance feel free to contact me at 946-7721.

Sincerely,



Gregory L. Howard
Environmental Compliance Specialist

cc: Brian Dickens, Region 5 U.S. EPA
Bruce Weinberg, Ohio EPA
Heidi Rosales, City of Cincinnati