

NON-HPV

# SOUTHWEST OHIO AIR QUALITY AGENCY

March 26, 2013

Certified Mail

Drew Brower  
UNITED DAIRY FARMERS  
2515 LESLIE AVE  
CINCINNATI, OH 45212

Re: NOTICE OF VIOLATION -

Facility ID: 1413000308, 1413080313, 1413000321, 1413000342, 1483090289  
UNITED DAIRY FARMERS #113, 033, 126, 122 and 061

Facility ID number	UDF Store #	GDF Location	Zip code	County	Emission Unit ID
1413000308	113	861 Eastgate South Dr, Cincinnati	45245	Clermont	G001
1413000313	33	5615 Wolfpen-Pleasant Hill Rd, Milford	45150	Clermont	G001
1413000321	126	1788 Ohio Pike, Amelia	45102	Clermont	G001
1413000342	122	711 Ohio Pike, Cincinnati	45245	Clermont	G001
1483090289	61	5614 Tylersville Rd, Mason	45040	Warren	G001

Dear Drew Brower:

A representative from Southwest Ohio Air Quality Agency (Agency) conducted inspections at the GDF's referenced above on March 22, 2013. During the inspections it was discovered that the Vapor Recovery systems were not in operation and **turned off**. Gasoline was being dispensed during all of the inspections. The transfer of gasoline from a stationary storage tank at a GDF into a motor vehicle is prohibited when the vapor recovery system is not functioning. Ohio Administrative Code (OAC) 3745-21-09(DDD)(1)(a) states that all vapors displaced from the fueling of motor vehicles are vented to a control system which is operated to maintain an overall control efficiency of 95%. The failure to maintain compliance with (OAC) 3745-21-09(DDD) is a violation of the terms and conditions of the Permit-by- Rule (PBR) and Ohio Revised Code (ORC) 3704.05(C). The PBR requires the owner/operator of the facility to report to the Ohio EPA District Office or local air agency the malfunction of any associated air pollution control equipment. Failure to report this information is a violation of OAC rule 3745-15-06.

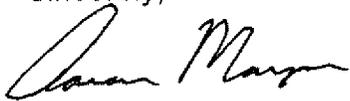


Please submit to this office, within 15 days of receipt of this letter, a plan and schedule for achieving compliance. Please include in your response detailing each UDF (GDF) and time period of how long each control system was turned off. Submit this information and plan to the attention of Aaron Morgan.

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.

If you have any questions, please contact me at 513-946-7703 or E-mail [aaron.morgan@hamilton-co.org](mailto:aaron.morgan@hamilton-co.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Morgan". The signature is fluid and cursive, with the first name "Aaron" written in a larger, more prominent script than the last name "Morgan".

Aaron Morgan  
Southwest Ohio Air Quality Agency

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