



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

**Certified Mail: 70122920000138145812**

April 4, 2013

Barry Lay, VP of Operations  
EnerVest Operating, LLC  
P.O. Box 550, 125 State Route 43  
Hartville, OH 44632

Re: Tuscarawas County (portable)  
Belden & Blake Portable #20 Alabama Booster; Facility ID #0679940014  
Notice of Violation (non-HPV)

Dear Mr. Lay:

By letter dated March 15, 2012, Ohio EPA, Division of Air Pollution Control, Southeast District Office, notified EnerVest's Charleston office that the portable Alabama Booster engine, emissions unit P002 under facility ID #0679940014, does not meet the requirements of New Source Performance Standards (NSPS) Subpart JJJJ, and thus, Ohio EPA was unable to issue a permit-to-install and operate (PTIO) for it. Application No. A0042474 was returned with that letter.

An emissions test was performed on this engine on July 6, 2012, and the test results confirmed that the 110 HP natural gas fired compressor engine does not comply with the applicable emissions limitations for NO<sub>x</sub>, CO and VOC in NSPS Subpart JJJJ. On November 1, 2012, I was notified by Michael Dearing that the company was investigating installation of controls on this engine to reduce emissions sufficient to comply with the federal regulation. Since that time, I have not received any further communication about the status of this engine, so it appears that Enervest continues to operate this non-compliant and non-permitted engine at the Muffly Road site in Tuscarawas Township of Stark County.

Please be advised that continued operation of this engine constitutes a violation of both the requirements in Ohio Administrative Code (OAC) rule 3745-31-02 to obtain a PTIO and the emissions limitations in NSPS Subpart JJJJ.

***Within fourteen (14) days of your receipt of this letter***, please provide Ohio EPA with a compliance plan and schedule that outlines the steps the company will take to remove the non-compliant engine or otherwise ensure that it complies with all applicable state and federal air pollution control laws and rules. Acceptance by Ohio EPA of a schedule for compliance does not constitute a waiver of 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 to pursue such penalties in this case will be made by Ohio EPA at a later date.

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Should you have any questions, please feel free to contact me at (740) 380-5245 or via email at [kim.reinbold@epa.ohio.gov](mailto:kim.reinbold@epa.ohio.gov).

Sincerely,



Kimbra L. Reinbold  
Division of Air Pollution Control  
Southeast District Office

KLR/cs

cc: Chris Veazey, EnerVest  
Stacy Foraker, EnerVest  
Michael Dearing, EnerVest  
Bruce Weinberg, DAPC/CO  
Dean Ponchak, DAPC/SEDO  
Brian Dickens, US EPA Region V