

APPENDIX C

**Feb. 1, 2013 Amended Finding of Violation
and
Sept. 30, 2013 Notice and Finding of
Violation**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB - 1 2013

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Neal Sahni, HSE Manager
Toledo Refining Company
1819 Woodville Road
Oregon, Ohio 43616

Re: Amended Finding of Violation
Toledo Refining Company
Oregon, Ohio

Dear Mr. Sahni:

The U.S. Environmental Protection Agency is issuing the enclosed Amended Finding of Violation (Amended FOV) to Toledo Refining Company (you), which amends the Finding of Violation directed to you dated January 2, 2013 (Original FOV). As in the Original FOV, we find that you have violated Sections 111, 112 and 502(a) of the Clean Air Act (CAA), 42 U.S.C. §§ 7411, 7412 and 7661a, at your Oregon, Ohio, facility. Please note that the Amended FOV amends paragraphs 61, 62 and 75 of the FOV.

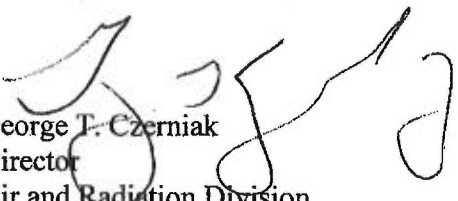
We have several enforcement options under Section 113 of the CAA, 42 U.S.C. § 7413. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the Amended FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations. We currently have a conference scheduled for the Original FOV for February 26, 2013. At the scheduled conference we will address the matters set forth in the Amended FOV.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Virginia Galinsky. You may call her at 312.353.2089 with regard to any question you may have.

Sincerely,


George T. Czerniak
Director
Air and Radiation Division

Enclosure:

cc: Pam Barnhart, Toledo Department of Environmental Services
Bob Hodanbosi, Ohio Environmental Protection Agency

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Toledo Refining Company
Oregon, Ohio**

Proceedings Pursuant to
the Clean Air Act,
42 U.S.C. §§ 7401 et seq.

)
) **AMENDED**
) **FINDING OF VIOLATION**
)
) **EPA-5-13-OH-5**
)
)
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AMENDED FINDING OF VIOLATION

The U.S. Environmental Protection Agency (EPA) finds that Toledo Refining Company (TRC) is violating Sections 111, 112 and 502(a) of the Clean Air Act (CAA), 42 U.S.C. §§ 7411, 7412 and 7661a. Specifically, TRC is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units (40 C.F.R. Part 63, Subpart UUU); NESHAP for Benzene Waste Operations (40 C.F.R. Part 61, Subpart FF); Standards of Performance for Equipment Leaks of Volatile Organic Compounds (VOC) in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006 (40 C.F.R. Part 60, Subpart VV); the Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After November 7, 2006 (40 C.F.R. Part 60, Subpart VVa); the Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006 (40 C.F.R. Part 60, Subpart GGG); the Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After November 7, 2006 (40 C.F.R. Part 60, Subpart GGGa); the National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks (40 C.F.R. Part 63, Subpart H); the General Provisions to the New Source Performance Standards (40 C.F.R. Part 60, Subpart A); the Standards of Performance for Petroleum Refineries (40 C.F.R. Part 60, Subpart J); and its Title V permit as follows:

Regulatory Authority

Clean Air Act

1. The Clean Air Act (CAA) is designed to protect and enhance the quality of the nation's air so as to promote the public health and welfare and the productive capacity of its population. Section 101(b)(1) of the CAA, 42 U.S.C. § 7401(b)(1).
2. Section 111(b) of the CAA, 42 U.S.C. § 7411(b) requires EPA to publish a list of categories of stationary sources and, within a year after the inclusion of a category of stationary

sources in the list, to publish proposed regulations establishing federal standards of performance for new sources within the source category.

3. Section 111(e) of the CAA, 42 U.S.C. § 7411(e), prohibits the operation of a new source in violation of any applicable standard of performance.

4. Section 112(b) of the CAA, 42 U.S.C. § 7412(b), as revised in 70 Fed. Reg. 75047 (December 19, 2005), lists 187 Hazardous Air Pollutants (HAP) that cause adverse health or environmental effects.

5. Section 112(d)(1) of the CAA, 42 U.S.C. § 7412(d), requires the Administrator to promulgate regulations establishing emissions standards for each category or subcategory of major and area sources of HAP that are listed for regulation pursuant to subsection (c) of Section 112.

6. Section 112(d)(2) of the CAA requires that emission standards promulgated under Section 112(d)(1) require “the maximum degree of reduction in emissions of the [HAP] . . . that the Administrator, taking into consideration the cost of achieving such emission reduction, and any nonair quality health and environmental impacts and energy requirements, determine is achievable for new or existing sources in the category or subcategory to which such emission standard applies . . .”

7. Title V of the CAA establishes an operating permit program for major sources. The purpose of Title V is to ensure that all “applicable requirements” for compliance with the CAA are collected in one place.

8. Section 502(a) of the CAA provides that “[a]fter the effective date of any permit program approved or promulgated under this subchapter, it shall be unlawful for any person to violate any requirement of a permit issued under this subchapter . . .”

40 C.F.R. Part 61, Subpart FF

9. EPA promulgated the NESHAP for Benzene Waste Operations on March 7, 1990 (Benzene Waste Operations NESHAP). *See* 55 Fed. Reg. 8292. The Benzene Waste Operations NESHAP is codified at 40 C.F.R. § 61.340 *et seq.* The Subpart has been subsequently amended.

10. 40 C.F.R. § 61.341 defines “water seal controls” to mean “a seal pot, p leg trap, or other type of trap filled with water (e.g., flooded sewers that maintain water levels adequate to prevent air flow through the system) that creates a water barrier between the sewer line and the atmosphere. The water level of the seal must be maintained in the vertical leg of a drain in order to be considered a water seal.”

11. 40 C.F.R. § 61.346(b) provides that, “[a]s an alternative to complying with paragraph (a) of this section, an owner or operator may elect to comply with the following requirements . . . (1) [e]ach drain shall be equipped with water seal controls or a tightly sealed cap or plug . . . (3) [e]ach sewer line shall not be open to the atmosphere and shall be covered or enclosed in a manner so as to have no visual gaps or cracks in joints, seals, or other emission interfaces.”

40 C.F.R. Part 60, Subpart A

12. EPA promulgated the General Provisions to the New Source Performance Standards (NSPS Subpart A) on December 23, 1971. *See* 36 Fed. Reg. 24876. NSPS Subpart A is codified at 40 C.F.R. § 60.1 *et seq.* The Subpart has been subsequently amended.

13. 40 C.F.R. § 60.13(a) provides that “[f]or the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.”

14. 40 C.F.R. § 60.13(e)(2) provides that “[e]xcept for system breakdowns, repairs, calibration checks, and zero and span adjustments required under paragraph (d) of this section, all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows . . . [a]ll continuous monitoring systems referenced by paragraph (c) of this section for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.”

40 C.F.R. Part 60, Subpart J

15. EPA promulgated Standards of Performance for Petroleum Refineries (NSPS Subpart J) on March 8, 1974. *See* 39 Fed. Reg. 9308. NSPS Subpart J is codified at 40 C.F.R. § 60.100 *et seq.* EPA amended NSPS Subpart J on March 15, 1978, to include standards of performance for petroleum refinery sulfur recovery plants. *See* 43 Fed. Reg. 10866. The Subpart has been subsequently amended.

16. 40 C.F.R. § 60.100(a) provides that, “[t]he provisions of this subpart are applicable to the following affected facilities in petroleum refineries: . . . fuel gas combustion devices . . .”

17. 40 C.F.R. § 60.101(d) defines “fuel gas” to mean “any gas which is generated at a petroleum refinery and which is combusted. Fuel gas includes natural gas when the natural gas is combined and combusted in any proportion with a gas generated at a refinery. Fuel gas does not include gases generated by catalytic cracking unit catalyst regenerators and fluid coking burners. Fuel gas does not include vapors that are collected and combusted in a thermal oxidizer or flare installed to control emissions from wastewater treatment units or marine tank vessel loading operations.”

18. 40 C.F.R. § 60.101(g) defines “fuel gas combustion device” to be “any equipment, such as process heaters, boilers and flares used to combust fuel gas, except facilities in which gases are combusted to produce sulfur or sulfuric acid.”

19. 40 C.F.R. § 60.105(a)(3) requires that “[c]ontinuous monitoring systems shall be installed, calibrated, maintained, and operated by the owner or operator subject to the provisions

of this subpart as follows: . . . For fuel gas combustion devices subject to § 60.104(a)(1), either an instrument for continuously monitoring and recording the concentration by volume (dry basis, zero percent excess air) of [sulfur dioxide (SO₂)] emissions into the atmosphere or monitoring as provided in paragraph (a)(4) of this section. The monitor shall include an oxygen monitor for correcting the data for excess.

20. 40 C.F.R. § 60.105(a)(4) allows for a continuous monitoring system that uses “an instrument for continuously monitoring and recording the concentration (dry basis) of [hydrogen sulfide (H₂S)] in fuel gases before being burned in any fuel gas combustion device” as an alternative to the monitoring required by 40 C.F.R. § 60.105(a)(3).

40 C.F.R. Part 63, Subpart UUU

21. EPA promulgated the NESHAP for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units on April 11, 2002 (MACT Subpart UUU). *See* 67 Fed. Reg. 17762. MACT Subpart UUU is codified at 40 C.F.R. § 63.1560 *et seq.* The Subpart has been subsequently amended.

22. “Affected sources” under MACT Subpart UUU include the process vent or group of process vents on fluidized catalytic cracking units (FCCU) that are associated with regeneration of the catalyst used in the unit; the process vent or group of process vents on catalytic reforming units that are associated with regeneration of the catalyst used in the unit; and the process vent or group of process vents on Claus or other types of sulfur recovery plant units or the tail gas treatment units serving sulfur recovery plants, that are associated with sulfur recovery, as well as associated by-pass lines. 40 C.F.R. § 63.1562(b).

23. MACT Subpart UUU provides that the owner and operator of a petroleum refinery subject to MACT Subpart UUU must demonstrate continuous compliance with the standards for organic HAP emissions from FCCUs “according to the methods specified in Tables 13 and 14 of this subpart.” 40 C.F.R. § 63.1565(c)(1).

24. Tables 13 and 14 of MACT Subpart UUU provide that if a continuous emission monitoring system (CEMS) is used to demonstrate continuous compliance with the standards for organic HAP emissions from FCCUs, hourly average carbon monoxide emissions data must be collected.

25. MACT Subpart UUU provides that the owner and operator of a petroleum refinery subject to MACT Subpart UUU must demonstrate continuous compliance with the standards for HAP emissions from sulfur recovery units “according to the methods specified in Tables 34 and 35 of this subpart.” 40 C.F.R. § 63.1568(c)(1).

26. Tables 34 and 35 of MACT Subpart UUU provide that if a CEMS is used to demonstrate continuous compliance with the standards for HAP emissions from sulfur recovery units, hourly average reduced sulfur emissions (and air or oxygen dilution and oxidation) data must be collected.

27. MACT Subpart UUU provides that “each [CEMS] must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.” 40 C.F.R. § 63.1572(a)(3).

28. MACT Subpart UUU provides that “[e]xcept for monitoring malfunctions, associated repairs, and required quality assurance or control activities (including as applicable, calibration checks and required zero and span adjustments), you must conduct all monitoring in continuous operation (or collect data at all required intervals) at all times the affected source is operating.” 40 C.F.R. § 63.1572(d)(1).

29. MACT Subpart UUU requires the owner and operator of a petroleum refinery subject to MACT Subpart UUU to submit certain reports. 40 C.F.R. § 63.1575(a).

30. MACT Subpart UUU, at 40 C.F.R. § 63.1575(d), provides, in part, that, “[f]or each deviation from an emission limitation and for each deviation from the requirements for work practice standards that occurs at an affected source where you are not using a . . . [CEMS] to comply with the emission limitation or work practice standard in this subpart, the compliance report must contain . . . [t]he total operating time of each affected source during the reporting period . . . [i]nformation on the number, duration, and cause for monitor downtime incidents (including unknown cause, if applicable, other than downtime associated with zero and span and other daily calibration checks).”

31. MACT Subpart UUU, at 40 C.F.R. § 63.1575(e), provides that, for each deviation from an emission limitation occurring at an affected source that uses a CEMS to comply with the emission limitation, the compliance report must contain:

- 1) The date and time that each malfunction started and stopped.
- 2) The date and time that each . . . [CEMS] was inoperative, except for zero (low-level) and high-level checks.
- 3) The date and time that each . . . [CEMS] was out-of-control, including the information in § 63.8(c)(8).
- 4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period.
- 5) A summary of the total duration of the deviation during the reporting period (recorded in minutes for opacity and hours for gases and in the averaging period specified in the regulation for other types of emission limitations), and the total duration as a percent of the total source operating time during that reporting period.
- 6) A breakdown of the total duration of the deviations during the reporting period and into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.
- 7) A summary of the total duration of downtime for the . . . [CEMS] during the reporting period (recorded in minutes for opacity and hours for gases and in the averaging time specified in the regulation for other types of

- standards), and the total duration of downtime for the . . . [CEMS] as a percent of the total source operating time during that reporting period.
- 8) A breakdown of the total duration of downtime for the . . . [CEMS] during the reporting period into periods that are due to monitoring equipment malfunctions, non-monitoring equipment malfunctions, quality assurance/quality control calibrations, other known causes, and other unknown causes.
 - 9) An identification of each HAP that was monitored at the affected source.
 - 10) A brief description of the process units.
 - 11) The monitoring equipment manufacturer(s) and model number(s).
 - 12) The date of the latest certification or audit for the . . . [CEMS].
 - 13) A description of any change in the . . . [CEMS], processes, or controls since the last reporting period.

32. MACT Subpart UUU, at 40 C.F.R. § 63.1575(f), provides, in part, that each compliance report must include “[a] copy of any performance test done during the reporting period on any affected unit . . .”

Leak Detection and Repair: 40 C.F.R. Part 60, Subparts VV, VVa, GGG and GGGa and 40 C.F.R. Part 63, Subpart H

33. On October 18, 1983, EPA promulgated the Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry (NSPS Subpart VV). *See* 48 Fed. Reg. 48328. NSPS Subpart VV is codified at 40 C.F.R. § 60.480 *et seq.* The Subpart has been subsequently amended.

34. On November 16, 2007, EPA promulgated the Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After November 7, 2006 (NSPS Subpart VVa). *See* 72 Fed. Reg. 64860. NSPS Subpart VVa is codified at 40 C.F.R. § 60.480a *et seq.* The Subpart has been subsequently amended.

35. On May 30, 1984, EPA promulgated the Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries (NSPS Subpart GGG). *See* 49 Fed. Reg. 22598. NSPS Subpart GGG is codified at 40 C.F.R. § 60.590 *et seq.* The Subpart has been subsequently amended.

36. On November 16, 2007, EPA promulgated the Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries Constructed, Reconstructed, or Modified After November 7, 2006 (NSPS Subpart GGGa). *See* 72 Fed. Reg. 64860. NSPS Subpart GGGa is codified at 40 C.F.R. § 60.590a *et seq.* The Subpart has been subsequently amended.

37. On April 22, 1994, EPA promulgated the National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks (MACT Subpart H or “the HON”). *See* 59 Fed. Reg. 19402. The HON is codified at 40 C.F.R. § 63.160 *et seq.* The Subpart has been subsequently amended.

38. NSPS Subpart GGG requires that owners or operators subject to NSPS Subpart GGG comply with certain requirements of NSPS Subpart VV. 40 C.F.R. § 60.592.

39. NSPS Subpart GGGa requires that owners or operators subject to NSPS Subpart GGGa comply with certain requirements of NSPS Subpart VVa. 40 C.F.R. § 60.592a.

40. NSPS Subparts VV and VVa and the HON require that facilities subject to each subpart conduct monitoring of certain components, including certain valves, pumps, pressure relief valves, and compressors to detect leaks. 40 C.F.R. § 60.482-2-482-8, 40 C.F.R. § 60.482-2a-482-8a and 40 C.F.R. § 63.163-174.

41. NSPS Subparts VV and VVa and the HON require that Method 21 be used to determine the presence of leaking sources. 40 C.F.R. § 60.485(b)(1), 40 C.F.R. § 60.485a(b)(1) and 40 C.F.R. § 63.180(b).

42. NSPS Subpart VV provides that “[e]ach open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve . . .” 40 C.F.R. § 60.482-6(a)(1).

43. NSPS Subpart VV provides that “[t]he cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line.” 40 C.F.R. § 60.482-6(a)(2).

44. NSPS Subpart VV provides that “[e]ach open-ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.” 40 C.F.R. § 60.482-6(b).

40 C.F.R. Part 60, Appendix A-7, Method 21

45. Method 21, at 2.1, provides that “[a] portable instrument is used to detect VOC leaks from individual sources. The instrument detector type is not specified, but it must meet the specifications and performance criteria contained in Section 6.0.”

46. Method 21, at 8.3.1, requires that the component interface where leakage could occur be sampled until “the maximum meter reading is obtained.”

47. Method 21, at 8.3.1.1, requires that to determine if a leak at a valve exists based on concentration, the probe be placed at the interface where the stem exits the packing gland and at the interface of the packing gland take-up flange seat and that the periphery around these two locations be sampled.

48. Method 21, at 6.1, requires that “[t]he VOC instrument detector shall respond to the compounds being processed.”

40 C.F.R. Part 70

49. 40 C.F.R. § 70.7(b) provides that “no part 70 source may operate after the time that it is required to submit a timely and complete application under an approved permit program, except in compliance with a permit issued under a part 70 program.”

Ohio Title V Program

50. EPA fully approved the Ohio Title V Permit program, effective October 1, 1995. 60 FR 42045 (August 15, 1995). Ohio's Title V Permit program requirements are codified at Ohio Administrative Code 3745-77.

Factual Information

51. TRC owns and operates a petroleum refinery at 1819 Woodville Road, Oregon, Ohio (the Toledo Refinery).

40 C.F.R. Part 61, Subpart FF

52. EPA performed an on-site inspection from July 25 – 29, 2012. During the inspection, it was discovered that a sewer drain located near valve 31924 that was part of an individual drain system had elevated hydrocarbon readings. Readings over 1,000 ppm were found approximately 2 feet away from the sewer grate. TRC later told EPA that the sewer was subject to the Benzene Waste Operations NESHAP and was controlled with a water seal.

40 C.F.R. Part 60, Subparts A and J

53. TRC owns and operates heaters B048, B050 and B051, which are subject to NSPS Subpart J. The H₂S contents of the fuel gases burned in these heaters are monitored using CEMS.

54. TRC has had quarters where the H₂S CEMS for B048, B050 and B051 had significant amounts of downtime, including but not limited to the quarters identified below:

Monitor ID	Pollutant	Source ID	Year	Quarter	Percent Source Operating Time (%)	Percent Monitor Downtime (%)
H001	H ₂ S	B048	2007	4	94.25	5.12
			2008	1	65.18	3.17
				2	83.14	2.85
				3	99.05	2.95
			2009	3	36.87	6.62
				4	81.96	2.86
H002	H ₂ S	B050	2010	1	40.17	61.74
			2008	4	98.99	2.13
				1	98.71	3.00
			2009	3	36.64	5.39
			2010	2	100.00	2.79
H002	H ₂ S	B050	2011	3	N/A	2.54

H003	H ₂ S	B051	2007	3	99.14	2.30
			2009	4	99.58	49.09
			2010	1	100.00	8.09
				4	98.70	2.33

40 C.F.R. Part 60, Subpart UUU

55. TRC's refinery has a FCCU, two catalytic reformers and a sulfur recovery plant that are subject to the requirements of MACT Subpart UUU.

56. TRC has had quarters where the CO and SO₂ CEMS for the FCCU/CO Boiler (B046, B047 and P011) and the sulfur recovery plant (P012 and P041) had significant amounts of downtime, including but not limited to the quarters identified below:

Monitor ID	Pollutant	Source ID	Year	Quarter	Percent Source Operating Time (%)	Percent Monitor Downtime (%)
C100	CO	B046, B047, P011	2008	2	99.47	4.74
				4	89.90	2.00
			2009	2	98.12	2.99
				3	33.70	4.91
				4	98.20	77.86
S299	SO ₂	P041	2010	1	100.00	25.89
				2	100.00	3.19
S301	SO ₂	P012	2010	1	100.00	73.39
S375	SO ₂	P012	2007	1	100.00	2.65
			2009	3	44.72	9.42
			2010	1	100.00	73.39

57. TRC submitted semi-annual compliance reports for MACT Subpart UUU on January 29, 2008, July 30, 2008, January 30, 2009, July 27, 2009, January 26, 2010, April 15, 2010, July 26, 2010, January 24, 2011, July 8, 2011, January 23, 2012 and July 20, 2012.

58. The MACT Subpart UUU semi-annual compliance reports submitted by TRC have failed to include all of the information required by 40 C.F.R. § 63.1575(d)-(f).

Leak Detection and Repair: 40 C.F.R. Part 60, Subparts VV, VVa, GGG and GGGa and 40 C.F.R. Part 63, Subpart H

59. From July 23 – 27, 2012, EPA conducted an on-site inspection at TRC's Oregon, Ohio refinery. During the inspection, EPA representatives performed comparative monitoring to evaluate the LDAR program. TRC's Oregon, Ohio refinery has components that were constructed, reconstructed or modified both before and after November 7, 2006, thus making

them affected sources under Subparts VV, VVa, GGG and GGGa. TRC's Oregon, Ohio refinery also has components in organic HAP service which are thus subject to the HON.

60. During the inspection, EPA found component leak percentages in excess of five times TRC's historical leak rate from the first half of 2012. Table 1 identifies the process unit equipment and compares the number and percentage of leaks found by TRC and EPA.

Table 1: Comparative Monitoring Analysis

Unit Description	Component Type	TRC Results (#Leaks/ #Monitored – Leak Percentage)	TRC Monitoring Period	EPA Results (#Leaks/ #Monitored – Leak Percentage)
Gas Plant	Valves and Pumps	54/8642 – 0.62%	Q1 2012 – Q2 2012	35/1,038 – 3.31%
Reformer II	Valves and Pumps	33/2832 – 1.16%	Q1 2012 – Q2 2012	8/373 – 2.14%

61. During the inspection, EPA requested that TRC's LDAR contractor ("Guardian") confirm each leak found. Of the 43 leaks over 500 ppm found by EPA using TVA-1000B analyzers, Guardian, using phx21TM analyzers manufactured by LDARtools, confirmed 15.

62. During the inspection, a Guardian technician informed EPA that it had been using phx21TM analyzers for compliance monitoring since January of 2011.

63. During the inspection, EPA identified 24 components out of 1,693 components monitored that were insulated such that the insulation covered the packing of the valve. TRC has not provided access holes for monitoring technicians to perform monitoring at the component leak interface at any of these components.

64. During the inspection, EPA identified 4 plugs that had elevated readings, indicating that the open end was not sealed by the plug.

65. During the inspection, EPA identified 5 sampling lines with elevated readings, indicating that the second valve on the open end was not operated in a manner such that the valve on the process fluid end was closed before the second valve was closed.

Title V

66. The Ohio Environmental Protection Agency issued a Title V Permit for the Toledo Refinery on January 22, 2004 (The Initial Title V Permit). The Title V Permit was renewed on June 25, 2012.

67. The Initial Title V Permit referenced TRC's requirements under NSPS Subparts A, J, VV and GGG, MACT Subpart UUU, the Benzene Waste Operations NESHAP and the HON.

Violations

40 C.F.R. Part 61, Subpart FF

68. TRC failed to seal the sewer drain located near valve 31924, in violation of 40 C.F.R. § 61.346.

40 C.F.R. Part 60, Subparts A and J

69. TRC failed to continuously operate the H₂S CEMS for B048, B050 and B051, in violation of 40 C.F.R. §§ 60.13(e)(2) and 60.105(a)(4).

70. By failing to comply with the requirements of NSPS Subparts A and J, TRC also violated Section 111(e) of the CAA.

40 C.F.R. Part 63, Subpart UUU

71. TRC failed to continuously operate the CO CEMS at the FCC/CO Boiler, in violation of 40 C.F.R. §§ 63.1565(c)(1), 63.1572(a)(3) and 63.1572(d)(1).

72. TRC failed to continuously operate the SO₂ CEMS at the sulfur recovery plant, in violation of 40 C.F.R. §§ 63.1568(c)(1), 63.1572(a)(3) and 63.1572(d)(1).

73. TRC failed to include all of the information required by 40 C.F.R. § 63.1575(d)-(f) in its Semi-Annual Reports, in violation of 40 C.F.R. § 63.1575(d)-(f).

74. By failing to comply with the requirements of MACT Subpart UUU, TRC also violated Section 112(e) of the CAA.

Leak Detection and Repair: 40 C.F.R. Part 60, Subparts VV, VVa, GGG and GGGa and 40 C.F.R. Part 63, Subpart H

75. The comparative monitoring results from EPA's July 2012 inspection demonstrate that TRC was not performing Method 21 monitoring at its Oregon, Ohio, refinery, in violation of NSPS Subparts VV, VVa, GGG, GGGa and the HON.

76. TRC failed to monitor insulated components in accordance with Method 21, in violation of NSPS Subparts VV, VVa, GGG, GGGa and the HON.

77. TRC failed to seal all open-ended lines using a cap, blind flange, plug, or second valve, in violation of 40 C.F.R. § 60.482-6(a)(2).

78. TRC failed to operate each open-ended valve or line equipped with a second valve in a manner such that the valve on the process fluid end is closed before the second valve is closed, in violation of 40 C.F.R. § 60.482-6(b).

79. By failing to comply with the requirements of NSPS Subparts VV, VVa, GGG and GGGa, TRC also violated Section 111(e) of the CAA.

80. By failing to comply with the requirements of MACT Subpart UUU, TRC also violated Section 112(e) of the CAA.

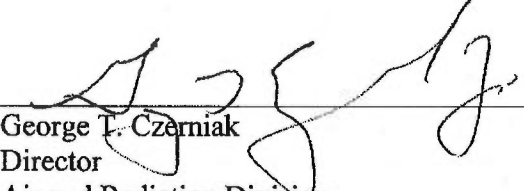
Title V

81. TRC failed to comply with NSPS Subparts A, J, VV and GGG, MACT Subpart UUU, the Benzene Waste Operations NESHAP and the HON, in violation of its Title V permit.

82. By failing to comply with the requirements of its Title V Permit, TRC violated 40 C.F.R. § 70.7(b) and Section 502(a) of the Act.

2/1/13

Date



George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

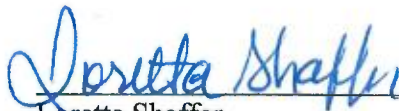
I, Loretta Shaffer, certify that I sent an Amended Finding of Violation, No. EPA-5-13-OH-5, by Certified Mail, Return Receipt Requested, to:

Neal Sahni, HSE Manager
Toledo Refining Company
1819 Woodville Rd.
Oregon, Ohio 43616

I also certify that I sent copies of the Amended Finding of Violation by first-class mail to:

Bob Hodanbosi
Chief, Division of Air Pollution Control
Ohio Environmental Protection Agency
1800 WaterMark Drive
Columbus, Ohio 43266-1049

On the 1 day of February 2013.



Loretta Shaffer
Administrative Program Assistant
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7001 0330 0006 0192 0928



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 30 2013

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Neal Sahni, HSE Manager
Toledo Refining Company
1819 Woodville Road
Oregon, Ohio 43616

Dear Mr. Sahni:

The U.S. Environmental Protection Agency has determined that Toledo Refining Company's (TRC) facility at 1819 Woodville Road, Oregon, Ohio is in violation of the Clean Air Act (the Act) and associated state or local pollution control requirements. A list of the requirements violated is provided below. We are today issuing to you a Notice of Violation and Finding of Violation (NOV/FOV) for these violations.

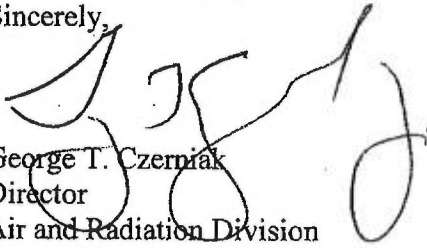
EPA finds that TRC has violated the General Provisions of the New Source Performance Standards; the Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006; the Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006; the General Provisions of the National Emission Standards for Hazardous Air Pollutants from Source Categories; the National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks; the National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries; the Ohio State Implementation Plan; and your Title V Permit.

Section 113 of the Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action.

We are offering you the opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contacts in this matter are William Wagner and Mary McAuliffe, Associate Regional Counsels. You may call them at (312) 886-4684 and (312) 886-6237, respectively, if you wish to request a conference. You should make the request for a conference within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter. EPA hopes that this NOV/FOV will encourage TRC's compliance with the requirements of the Act.

Sincerely,



George T. Czerniak
Director
Air and Radiation Division

cc: Bob Hodanbosi, Ohio Environmental Protection Agency

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Toledo Refining Company
Oregon, Ohio**

Proceedings Pursuant to
the Clean Air Act
42 U.S.C. § 7401 *et seq.*

)
)
) **NOTICE OF VIOLATION and**
) **FINDING OF VIOLATION**
)
) **EPA-5-13-OH-11**
)
)
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NOTICE AND FINDING OF VIOLATION

Toledo Refining Company (you or TRC) owns and operates a petroleum refinery at 1819 Woodville Road, Oregon, Ohio (Toledo Refinery). Air emission control equipment includes two steam-assisted flares, known as the Plant 4 Flare and the Plant 9 Flare.

The U.S. Environmental Protection Agency is sending this Notice of Violation and Finding of Violation (NOV/FOV or Notice) because you have failed to operate your flares in accordance with good air pollution control practices for minimizing emissions and in accordance with their designs, in violation of the General Provisions of the New Source Performance Standards; the Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006; the Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006; the General Provisions of the National Emission Standards for Hazardous Air Pollutants from Source Categories; the National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks; the National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries; the Ohio State Implementation Plan; and your Title V Permit. The underlying statutory and regulatory requirements include provisions of the Clean Air Act.

Clean Air Act

1. The Clean Air Act is designed to protect and enhance the quality of the nation's air so as to promote the public health and welfare and the productive capacity of its population. Section 101(b)(1) of the Act, 42 U.S.C. § 7401(b)(1).

Section 111 of the Act, New Source Performance Standards

2. Section 111(b) of the Act, 42 U.S.C. § 7411(b), requires EPA to publish a list of categories of stationary sources and, within a year after the inclusion of a category of stationary

sources in the list, to publish proposed regulations establishing Federal standards of performance for new sources within the source category.

3. Section 111(f) of the Act, 42 U.S.C. § 7411(f), requires the promulgation of standards of performance for new stationary sources.

4. Section 111(e) of the Act, 42 U.S.C. § 7411(e), prohibits the operation of a new source in violation of any applicable standard of performance.

NSPS General Provisions, 40 C.F.R. Part 60, Subpart A

5. EPA proposed General Provisions to the New Source Performance Standards (NSPS Subpart A) on August 17, 1971. *See* 36 Fed. Reg. 15704. EPA promulgated NSPS Subpart A on December 23, 1971. *See* 36 Fed. Reg. 24877. The subpart has been subsequently amended. NSPS Subpart A is codified at 40 C.F.R. § 60.1 – 60.19.

6. The NSPS regulations apply to the owner or operator of any stationary source that contains an “affected facility,” the construction or modification of which is commenced after the date of publication of any proposed standard applicable to that facility. *See* 40 C.F.R. § 60.1(a).

7. 40 C.F.R. § 60.2 defines an “affected facility” under the NSPS, with reference to a stationary source, as any apparatus to which a standard is applicable.

8. 40 C.F.R. § 60.11(d) requires that “at all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.”

9. 40 C.F.R. § 60.18(d) provides that “owners or operators of flares used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs...”

NSPS for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry (SOCMI), 40 C.F.R. Part 60, Subpart VV

10. On October 18, 1983, EPA promulgated the Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006 (NSPS Subpart VV). *See* 48 Fed. Reg. 48335. NSPS Subpart VV has been subsequently amended. The subpart is codified at 40 C.F.R. § 60.480 – 60.489.

11. 40 C.F.R. § 60.482-10(d) provides that “[f]lares used to comply with this subpart shall comply with the requirements of § 60.18.”

12. 40 C.F.R. § 60.482-10(e) provides that “[o]wners or operators of control devices used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs.”

NSPS for Equipment Leaks of VOC in Petroleum Refineries, 40 C.F.R. Part 60, Subpart GGG

13. On May 30, 1984, EPA promulgated the Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006 (NSPS Subpart GGG). *See* 49 Fed. Reg. 22606. NSPS Subpart GGG has been subsequently amended. The subpart is codified at 40 C.F.R. § 60.590 – 60.593.

14. 40 C.F.R. § 60.592 provides that “[e]ach owner or operator subject to the provisions of this subpart shall comply with the requirements of §§ 60.482-1 to 60.482-10 as soon as practicable, but no later than 180 days after initial startup.”

Section 112 of the Act, NESHAP for Source Categories

15. Section 112(b) of the Act, 42 U.S.C. § 7412(b) lists 188 Hazardous Air Pollutants (HAPs) that cause adverse health or environmental effects.

16. Section 112(d)(1) of the Act, 42 U.S.C. § 7412(d), requires EPA to promulgate regulations establishing emissions standards for each category or subcategory of major and area sources of HAPs that are listed for regulation pursuant to subsection (c) of Section 112.

17. Section 112(d)(2) of the Act requires that emission standards promulgated under Section 112(d)(1) require “the maximum degree of reduction in emissions of the hazardous air pollutants . . . that the Administrator, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable for new or existing sources in the category or subcategory to which such emission standard applies . . .” (hereinafter, “MACT”).

NESHAP for Source Categories, General Provisions, 40 C.F.R. Part 63, Subpart A

18. On March 16, 1994, EPA promulgated the General Provisions to the National Emission Standards for Hazardous Air Pollutants from Source Categories (MACT Subpart A). *See* 59 Fed. Reg. 12408. The Subpart has been subsequently amended. The subpart is codified at 40 C.F.R. § 63.1 – 63.16.

19. 40 C.F.R. § 63.6(e)(1)(i) provides that “[a]t all times, including periods of startup, shutdown, and malfunction, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.”

NESHAP from Equipment Leaks, 40 C.F.R. Part 63, Subpart H

20. EPA promulgated National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks on April 22, 1994 (the HON). *See* 59 Fed. Reg. 19568. The subpart has been subsequently amended. The HON is codified at 40 C.F.R. § 63.160 – 63.183.

21. 40 C.F.R. § 63.161 defines control device to mean “any equipment used for recovering, recapturing, or oxidizing organic hazardous air pollutant vapors. Such equipment includes, but is not limited to, absorbers, carbon adsorbers, condensers, flares, boilers, and process heaters.”

22. 40 C.F.R. § 63.172(d) provides that “[f]lares used to comply with this subpart shall comply with the requirements of § 63.11(b) of subpart A of this part.”

23. 40 C.F.R. § 63.172(e) provides that “[o]wners or operators of control devices that are used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their design.”

NESHAP from Petroleum Refineries, 40 C.F.R. Part 63, Subpart CC

24. EPA promulgated National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries (the Refinery MACT) on August 18, 1995. *See* 60 Fed. Reg. 43244. The subpart has been subsequently amended. The Refinery MACT is codified at 40 C.F.R. § 63.640 – 63.656.

25. 40 C.F.R. § 63.648(a) provides that “[e]ach owner or operator of an existing source subject to the provisions of this subpart shall comply with the provisions of [NSPS Subpart VV]...”

26. Table 6 to the Refinery MACT, titled “General Provisions Applicability to Subpart CC,” specifically provides that Section 63.6(e) of the General Provisions applies to affected sources under the Refinery MACT (except for “Group 2 emission points”).

Title V of the Act, Permits, and 40 C.F.R. Part 70, Operating Permit Program

27. Section 502(a) of the Act, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the Act, no source subject to Title V may operate except in compliance with a Title V permit.

28. 40 C.F.R. § 70.7(b) states “...no part 70 source may operate after the time that it is required to submit a timely and complete application under an approved permit program, except in compliance with a permit issued under a part 70 program.”

29. EPA fully approved the Ohio Title V Permit program, effective October 1, 1995. 60 FR 42045 (August 15, 1995). Ohio's Title V Permit program requirements are codified at Ohio Administrative Code 3745-77.

30. OAC Rule 3745-77-02 provides that “the owner or operator of a Title V source shall not operate such source after the date that a timely and complete Title V permit application is required to be submitted under this chapter, except in compliance with a permit issued under this chapter.”

31. The Ohio Environmental Protection Agency (Ohio EPA) issued Title V Permit number P0104231 to the facility on July 16, 2012.

32. The Title V permit number P0104231 identifies the Plant 4 Flare as Emission Unit P009 and the Plant 9 Flare as P008.

33. Section C.11(b)(1) of Title V permit number P0104231 identifies P008 as being subject to MACT Subparts CC and H.

34. Section C.11(b)(2) of Title V permit number P0104231 states that, “[p]ursuant to 40 CFR Part 63.160(b)(2), because this flare is a control device for an emissions unit that is subject to 40 CFR Part 63, Subpart H, the flare will be required to comply only with the provisions of 40 CFR Part 63, Subpart H.”

35. Section C.11(d)(3) of Title V permit number P0104231 provides that “[t]he permittee shall at all times and to the extent practicable, including during periods of Startup, Shutdown, upset and/or Malfunction of refinery process units, implement good air pollution control practices to minimize emissions from its Hydrocarbon Flaring Devices consistent with 40 CFR. 60.11(d).”

36. Section C.12(b)(1) of Title V permit number P0104231 identifies P009 as being subject to MACT Subparts CC and GGG.

37. Section C.12(b)(2)(1) provides that, “[p]ursuant to 40 CFR Part 63.640(p), the flare will be required to comply only with the provisions of 40 CFR Part 63, Subpart CC with respect to the Control Device Requirements under 40 CFR Part 60, Subpart A, section 60.11, because this flare is a control device for an emissions unit that is subject to 40 CFR Part 60, Subparts A and GGG.”

38. Section C.12(c)(3) of Title V permit number P0104231 provides that “[t]he permittee shall at all times and to the extent practicable, including during periods of Startup, Shutdown, upset and/or Malfunction of refinery process units, implement good air pollution control practices to minimize emissions from its Hydrocarbon Flaring Devices consistent with 40 CFR. 60.11(d).”

Factual Background

39. Since March 1, 2011, TRC has owned and operated the petroleum refinery at 1819 Woodville Road, Oregon, Ohio (the Toledo Refinery). Prior to March 1, 2011, the Toledo Refinery was owned and operated by Sunoco, Inc. The Toledo Refinery includes, among other control equipment, two flares, known as the Plant 4 Flare (P009) and the Plant 9 Flare (P008).

40. In July 1983, EPA released report EPA 600/2-83-052, titled Flare Efficiency Study (1983 Flare Study). This study, partially funded by EPA and the Chemical Manufacturers Association (CMA), included various tests to determine the combustion efficiency and hydrocarbon destruction efficiency of flares under a variety of operating conditions. Certain tests were conducted on a steam-assisted flare provided by John Zink Company. The tests performed included a wide range of steam flows and steam-to-vent gas ratios. The data collected showed decreasing combustion efficiencies when the steam-to-vent gas ratio was above 3.5. The tests showed the following efficiencies at the following steam-to-vent gas ratios:

Pounds of Steam to One Pound of Vent Gas	Combustion Efficiency (%)
3.45	99.7
5.67	82.18
6.86	68.95

The report concluded that excessive steam-to-vent gas ratios caused steam quenching of the flame during the tests which resulted in lower combustion efficiency.

41. The Plant 4 Flare Instruction Manual provides that, “[i]f the steam valves are oversized or not set up to be proportional to waste gas flow then improper steam flow for smokeless operation will result in smoke, noise or incomplete combustion (white or gray smoke).”

42. The Plant 9 Flare Operating and Maintenance Manual provides that, “[d]uring a flaring event, the steam flow to the Shepherd and Lower Steam Rings should be adjusted to the point where smoke is not visible and the flame is a yellow-orange color. Excessive steam injection will cause high noise and can cause deterioration of destruction efficiency.”

43. TRC provided EPA with actual steam flow rates, vent gas flow rates, net heating value data, and steam-to-vent-gas ratios achieved at the Plant 4 and 9 Flares from January 1, 2006 through March 24, 2013 pursuant to a Section 114 Information Request dated March 26, 2013. These records show that TRC frequently operated at steam-to-vent gas ratios significantly above what could be considered good air pollution control practice and for which testing has demonstrated decreased combustion efficiency.

44. Specifically, TRC records show that of the 6,073 hours for which steam-to-vent gas ratios were provided at the Plant 4 Flare, there were:

- a. 1,853 hours (30.5%) during which the steam to vent gas ratio was greater than 3.45;
- b. 1,189 hours (19.6%) during which the steam to vent gas ratio was greater than 5.67; and,
- c. 940 hours (15.5%) during which the steam to vent gas ratio was greater than 6.86.

45. Of the 4,874 hours for which steam-to-vent gas ratios were provided at the Plant 9 Flare, there were:

- a. 4,284 hours (87.9%) during which the steam to vent gas ratio was greater than 3.45;
- b. 3,465 hours (71.1%) during which the steam to vent gas ratio was greater than 5.67; and,
- c. 3,392 hours (69.6%) during which the steam to vent gas ratio was greater than 6.86.

46. Publicly available documents, TRC's documents, and technical literature state that operating flares with excessive steam-to-vent gas ratios will cause flare efficiency to drop below that which it was designed to achieve. The steam-to-vent gas ratios used by TRC would not have resulted in a yellow-orange flame. TRC added more steam than is necessary for proper operation and is recommended, thereby reducing the flares' efficiency.

Violations

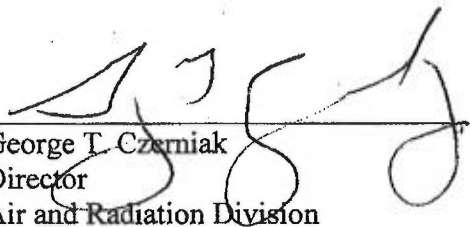
47. By adding too much steam to the Plant 4 Flare, TRC has failed to operate the flare in conformance with its design, in violation of 40 C.F.R. §§ 60.482-10(e), 60.592, 63.172(e), and 63.648(a), Section C.12(b)(2)(1) of Title V Permit number P0104231, and OAC Rule 3745-77-02.

48. By adding too much steam to the Plant 4 Flare, TRC has failed to operate the flare in a manner consistent with good engineering practices to minimize emissions, in violation of 40 C.F.R. § 60.11(d), Sections C.12(b)(2)(1) and C.12(c)(3) of Title V Permit number P0104231, and OAC Rule 3745-77-02.

49. By adding too much steam to the Plant 9 Flare, TRC has failed to operate the flare in conformance with its design, in violation of 40 C.F.R. §§ 60.482-10(e), 63.172(e), and 63.648(a), Section C.11(b)(2) of Title V Permit number P0104231, and OAC Rule 3745-77-02.

50. By adding too much steam to the Plant 9 Flare, TRC has failed to operate the flare in a manner consistent with good engineering practices to minimize emissions, in violation of 40 C.F.R. § 60.11(d), Section C.11(d)(3) of Title V Permit number P0104231, and OAC Rule 3745-77-02.

9/30/13
Date


George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, No. EPA-5-13-OH-11, by Certified Mail, Return Receipt Requested, to:

Neal Sahni, HSE Manager
Toledo Refining Company
1819 Woodville Rd.
Oregon, Ohio 43616

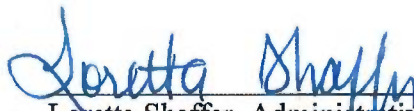
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Bob Hodanbosi
Chief, Division of Air Pollution Control
Ohio Environmental Protection Agency
1800 WaterMark Drive
Columbus, Ohio 43266-1049

On the 30 day of September 2013.

CERTIFIED MAIL RECEIPT NUMBER:

7009 1680 0000 7669 5824



Loretta Shaffer, Administrative Program Assistant
Planning and Administration Section