



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

DEC 30 2002

REPLY TO THE ATTENTION OF

(AE-17J)

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Greg Massey, Plant Manager  
American Electric Power  
Ohio Power Company  
General M. Gavin Power Plant  
7397 State Route 7  
P.O. Box 271  
Cheshire, Ohio 45620

Re: Notice of Violation  
General M. Gavin Power Plant  
Cheshire, Ohio

Dear Mr. Massey:

The United States Environmental Protection Agency is issuing the enclosed Notice of Violation (NOV) to American Electric Power/Ohio Power Company for its General M. Gavin Power Plant (you) under Section 113(a)(1) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(1). We find that you have violated the Ohio State Implementation Plan at your Cheshire, Ohio facility.

Section 113 of the Clean Air 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. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the NOV.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. 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 contact in this matter is Kathy Triantafillou. You may call her at (312) 353-4293 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "S. Rothblatt", written over a horizontal line.

Stephen Rothblatt, Acting Director  
Air and Radiation Division

Enclosure

cc: Janet Henry, Associate General Counsel  
American Electric Power

Robert Hodanbosi, Chief  
Division of Air Pollution Control  
OEPA

Fred Klingelhafer, APC Supervisor  
Southeast District Office  
OEPA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

IN THE MATTER OF: )  
 )  
American Electric Power ) NOTICE OF VIOLATION  
Ohio Power Company )  
Gavin Power Plant ) EPA-5-03-OH-5  
Cheshire, Ohio )  
 )  
 )  
Proceedings Pursuant to )  
Section 113(a)(1) of the )  
Clean Air Act, 42 U.S.C.  
§ 7413(a)(1)

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**NOTICE OF VIOLATION**

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S. EPA finds that American Electric Power/Ohio Power (AEP) - Gavin Plant is violating the Ohio State Implementation Plan (SIP), as follows:

**Statutory and Regulatory Background**

1. Section 110(a) of the Act requires each State to adopt and submit to the Administrator for approval, a plan for the implementation, maintenance, and enforcement of primary ambient air quality standards as promulgated by the Administrator.
2. The State of Ohio submitted such a State Implementation Plan (SIP) which has been approved by EPA at 40 C.F.R. Part 52, Subpart KK. The Ohio SIP includes requirements that air contaminant emission sources be regulated by the State of Ohio Rules and Regulations and permits to operate and construct issued by the state. This rule became effective and federally enforceable on October 23, 1980.

3. The Ohio Administrative Code (OAC) 3745-17-07(A) (1) requires that visible particulate emissions from any stack not exceed twenty percent opacity, as a six-minute average, with the following exception: visible particulate emissions from any stack may exceed twenty per cent opacity, as a six-minute average, for not more than six consecutive minutes in any sixty minutes, but shall not exceed sixty percent opacity, as a six-minute average, at any time. This rule became effective and federally enforceable on June 27, 1994 (59 Fed. Reg. 27464).

**AEP's Gavin Plant**

4. AEP owns and operates two coal-fired boilers at its Gavin Plant located at 7397 State Route 7, Cheshire, Ohio.
5. Emissions from AEP's two coal-fired boilers at its Gavin Plant are subject to the visible emission limits in the Ohio SIP at OAC 3745-17-07(A).
6. AEP's Title V permit for Boiler Units 1 and 2 requires that AEP submit reports on a quarterly basis documenting all instances of opacity values in excess of the limitations specified in OAC 3745-17-07.

**Violations**

7. On November 21, 2000, U.S. EPA documented violations of the applicable opacity limitation based on the following visible emission observations conducted in accordance with EPA Method 9 at the Unit 2 stack. U.S. EPA alleges that these violations are continuing until such time as AEP provides visible emission observations conducted in accordance with EPA Method 9 documentation demonstrating that this source has returned to continuous compliance.

Duration of Violation (min)	Range of Opacity Readings (%)
54	42.1 - 48.3

8. On November 28, 2000, U.S. EPA documented violations of the applicable opacity limitation based on the following visible emission observations conducted in accordance with EPA Method 9 at the Unit 2 stack. U.S. EPA alleges that these violations are continuing until such time as AEP provides visible emission observations conducted in accordance with EPA Method 9 documentation demonstrating that this source has returned to continuous compliance.

Duration of Violation (min)	Range of Opacity Readings (%)
54	40.2 - 49.4

9. On December 14, 2000, U.S. EPA documented violations of the applicable opacity limitation based on the following visible emission observations conducted in accordance with EPA Method 9 at the Unit 2 stack. U.S. EPA alleges that these violations are continuing until such time as AEP provides visible emission observations conducted in accordance with EPA Method 9 documentation demonstrating that this source has returned to continuous compliance.

Duration of Violation (min)	Range of Opacity Readings (%)
54	54.2 - 55.6

10. On October 5, 2001, U.S. EPA documented violations of the applicable opacity limitation based on the following visible emission observations conducted in accordance with EPA Method 9 at the Unit 2 stack. U.S. EPA alleges that these violations are continuing until such time as AEP provides visible emission observations conducted in accordance with EPA Method 9 documentation demonstrating that this source has returned to continuous compliance.

Duration of Violation (min)	Range of Opacity Readings (%)
54	29.4 - 35.0

11. On October 11, 2001, U.S. EPA documented violations of the applicable opacity limitation based on the following visible emission observations conducted in accordance with EPA Method 9 at the Unit 2 stack. U.S. EPA alleges that these violations are continuing until such time as AEP provides visible emission observations conducted in accordance with EPA Method 9 documentation demonstrating that this source has returned to continuous compliance.

Duration of Violations (min)	Range of Opacity Readings (%)
54	29.8 - 36.0

12. On December 5, 2001, U.S. EPA documented violations of the applicable opacity limitation based on the following visible emission observations conducted in accordance with EPA Method 9 at the Unit 1 stack. U.S. EPA alleges that these violations are continuing until such time as AEP provides visible emission observations conducted in accordance with EPA Method 9 documentation demonstrating that this source has returned to continuous compliance.

Duration of Violations (min)	Range of Opacity Readings (%)
54	42.1 - 46.0

13. On July 11, 2002, U.S. EPA documented violations of the applicable opacity limitation based on the following visible emission observations conducted in accordance with EPA Method 9 at Units 1 and 2. U.S. EPA alleges that these violations are continuing until such time as AEP provides visible emission observations conducted in accordance with EPA Method 9 documentation demonstrating that this source has returned to continuous compliance.

Duration of Violations (min)	Range of Opacity Readings (%)
54	47.9 - 51.9

14. U.S. EPA reviewed AEP's Boiler Unit 2 Opacity Excess Emission Reports for the period from First Quarter 2002 through Third Quarter 2002. Exceedances of the applicable 20 percent opacity limit found at OAC 3745-17-07(A) are summarized below:

Date	Duration of Violations (min)	Highest Opacity (%)
1/8/02	6	27
1/24/02	12	29
2/28/02	66	48
3/17/02	6	36
3/18/02	30	37
3/20/02	6	31
3/24/02	30	34
4/2/02	12	46
5/8/02	6	25
5/10/02	84	22
5/14/02	12	27
5/19/02	6	25
5/20/02	84	50
5/24/02	6	32
6/8/02	6	22
6/9/02	12	25
6/12/02	42	23
6/16/02	126	26
6/17/02	6	22
6/18/02	24	33
6/20/02	90	26

6/21/02	18	27
6/22/02	48	47
6/23/02	6	22
6/24/02	42	57
6/26/02	18	47
7/1/02	36	50
7/5/02	42	23
7/9/02	24	27
7/10/02	72	30
7/14/02	36	24
7/15/02	78	29
7/16/02	42	31
7/20/02	6	23
7/24/02	24	35
7/26/02	6	30
7/27/02	36	54
7/29/02	12	36
7/31/02	6	24
8/8/02	18	24
8/10/02	12	24
8/11/02	6	48
8/12/02	30	57
8/13/02	96	40
8/21/02	168	87
8/22/02	6	32
8/27/02	90	69

8/28/02	24	28
8/29/02	6	38
8/30/02	12	27
9/1/02	36	24
9/4/02	6	22
9/5/02	66	59
9/6/02	84	28
9/7/02	6	24
9/9/02	60	26
9/10/02	12	22
9/17/02	12	21
9/19/02	18	25

12/30/2002

Date



Stephen Rothblatt, Acting Director  
Air and Radiation Division