



December 18, 2025

Transmitted Electronically

Bob Gwaltney
Freepoint Eco-Systems
522 Milliken Dr
Hebron, OH 43025

**Re: Freepoint Eco-Systems Hebron
Notice of Violation (NOV)
Air Permit
Licking County
0145000580**

Subject: Notice of Violation

Dear Bob Gwaltney:

During the weeks of December 1 and December 8, 2025, Ohio EPA’s Central District Office identified violations of Freepoint Eco-Systems Hebron (Freepoint)’s permit-to-install and operate (PTIO), the Ohio Administrative Code (OAC), and the Ohio Revised Code (ORC).

Findings

1. ORC 3704.05(C): *“No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions.”*

PTIO P0134326 Term C.2.b)(1)a.: *“Visible particulate emissions from any stack serving this emissions unit shall not exceed 20% opacity as a 6-minute average, except as provided by rule.”*

- a. On December 3, December 4, and December 12, 2025, Ohio EPA Central Office inspector documented exceedances of the visible particulate emissions limitation through visible emission observations performed on emissions unit P002’s vapor combustor stack in accordance with U.S. EPA Method 9. On December 10, 2025, Ohio EPA Central Office inspector documented exceedances of the visible particulate emissions limitation through visible emission observations performed on emissions units P001 and P002’s vapor combustors stacks in accordance with U.S. EPA Method 9.
- b. Requested actions: Within 30 days of receipt of this letter, Freepoint shall submit a compliance plan that explains how the facility will ensure compliance with the visible particulate emissions limitation.

2. ORC 3704.05(C): *“No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions.”*

PTIO P0134326 Term A.10: *“Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report?”*

If you have a reportable malfunction of any emissions unit(s) or any associated air pollution control system, you must report this to the Ohio EPA DAPC, Central District Office in accordance with OAC rule 3745-15-06(B). Malfunctions that must be reported are those that result in emissions that exceed permitted emission levels. It is your responsibility to evaluate control equipment breakdowns and operational upsets to determine if a reportable malfunction has occurred.

If you have a malfunction but determine that it is not a reportable malfunction under OAC rule 3745-15-06(B), it is recommended that you maintain records associated with control equipment breakdown or process upsets. Although it is not a requirement of this permit, Ohio EPA recommends that you maintain records for non-reportable malfunctions.”

OAC rule 3475-15-06(B): “Malfunctions shall be reported as follows:

(1) If a malfunction occurs, the person responsible for the equipment in question shall immediately notify the Ohio EPA district office or delegate agency of such malfunction via telephone or email. Giving notice is not an admission or proof of a violation of any specific emissions limitation, standard or permit term. If the malfunction continues for more than twenty-four hours, the source owner or operator shall provide a written statement to the director within one week of the date the malfunction occurred and include in both the immediate notification and written statement the following:

(a) The name of the owner or operator of the regulated entity experiencing the malfunction event and the Ohio EPA facility identification number.

(b) The identification and location of such equipment including the Ohio EPA emissions unit identification number for each air pollution source involved in the malfunction.

(c) A summary of the event which caused the malfunction to occur.

(d) The estimated or actual duration of malfunction.

(e) The nature and estimated quantity of regulated air contaminants which have been or may be emitted into the ambient air during the malfunction period.

(f) Any adverse impacts to human health or the environment as a result of the malfunction that have been identified.

(g) Statements demonstrating the following:

(i) Shutdown or reduction of source operation during the malfunction period will be or would have been impossible, impractical, or unsafe (if applicable).

(ii) The estimated malfunction period will be or was reasonable in duration based on installation or repair time, delivery dates of equipment, replacement parts, or materials, or current unavailability of essential equipment, parts, materials, or personnel.

(iii) Available alternative operating procedures and interim control measures will be or have been implemented during the malfunction period to reduce adverse effects on public health or welfare.

(iv) All actions necessary and required by any applicable preventive maintenance and malfunction abatement plan will be or have been implemented.

(2) The Ohio EPA district office or delegate agency shall be notified when the condition causing the malfunction has been corrected and the equipment is again in normal operation. Notification of the correction of the condition causing the malfunction may be given verbally if the duration of the malfunction is twenty-four hours or less or in writing if the duration exceeds twenty-four hours.

- a. As discussed under Finding 1 above, Ohio EPA documented exceedances of emissions unit P002's visible particulate emissions limitation on December 3 and December 4, 2025. Based on discussions with the facility, these exceedances occurred as a result of malfunctions associated with the operation of the sponge oil absorber. On December 17, 2025, Freepoint emailed Ohio EPA a Consolidated Malfunction Report identifying seven additional malfunctions that occurred from December 2 through December 15, 2025. Freepoint did not provide immediate notification of the information required by OAC rule 3475-15-06(B) for these nine malfunction events.
- b. Requested actions: Within 30 days of receipt of this letter, Freepoint shall submit a compliance plan that explains how the facility will identify malfunctions and ensure that they are reported in accordance with OAC rule 3745-15-06(B).

3. ORC 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

PTIO P0134326 Term C.2.c)(5): *"The pyrogas that is generated by the pyrolysis unit shall be vented to the scrubber at all times when the emissions unit is in operation."*

PTIO P0134326 Term C.2.d)(4): *"In order to maintain compliance with the applicable emission limitation(s) contained in this permit, the acceptable range or limit for the pressure drop across the scrubber, the liquid flow rate, and the liquid pH shall be based upon the manufacturer's specifications until such time as any required performance testing is conducted and the appropriate range for each parameter is established to demonstrate compliance."*

- a. During a site visit on December 2, 2025, Freepoint stated that they are not using the scrubber to control HCl emissions. Instead, they have determined that the water in their liquid ring compressor system is absorbing HCl from the process gas.
- b. Requested actions: Within 30 days of receipt of this letter, Freepoint shall submit a technical description of the HCl control system as well as the operating parameter(s) that are monitored to ensure its proper operation.

4. ORC 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

PTIO P0134326 Term C.2.f)(1): *"a. Emissions testing shall be conducted within 60 days after achieving the maximum production rate at which the emissions unit will be operated, but not later than 180 days after initial startup of the emissions unit."*

b. Emissions testing shall be conducted to demonstrate compliance with the hourly VOC, NO_x, and HCl emissions limitations, the PE limitation, the minimum VOC control efficiency requirements for the vapor combustors, and the dioxins/furans (total mass basis) emissions limitation."

- a. On December 2 through 4, 2025, Freepoint performed testing on emissions unit P002. The testing included all pollutants required by the permit except for PE and HCl.
- b. Requested actions: Within 30 days of receipt of this letter, Freepoint shall submit an "Intent to Test" notification for the required PE and HCl testing.

Conclusion

The Ohio EPA requests that Freepoint promptly undertakes the necessary measures to return to compliance with the applicable environmental laws and regulations. Within 30 days of receipt of this letter, please provide to Ohio EPA the documentation requested above. If you have already resolved the violations listed

above thank you, and please provide documentation supporting compliance. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate.

If circumstances delay resolution of violations, Freepoint shall submit written correspondence describing the steps that will be taken and dates when compliance will be achieved. Please note that the submission of any requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek relief as provided in ORC 3704.06.

Thank you for your time and cooperation and if you have any questions, please do not hesitate to contact me by phone at (614) 728-3810 or by e-mail at pamela.mccoy@epa.ohio.gov.

Sincerely,



Pam McCoy
Environmental Specialist, Permitting and Compliance
Division of Air Pollution Control

Delivered via email: bgwaltney@freepoint.com

ec: Samira Deeb and Stephanie Habinak, DAPC/CO
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