



April 28, 2026

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:

In an email received by Ohio EPA on April 23, 2026, Freepoint Eco-Systems Hebron (Freepoint) stated, "Freepoint has determined that the weight of pyrolysis oil produced and marketed was less than 70 percent of the weight of plastics processed for the third and fourth quarters of 2025 and the first quarter of 2026."

Findings

Ohio EPA identified the following violations of 40 CFR Part 60, Subpart AAAAA. In order to bring your facility into compliance, we recommend promptly addressing these violations within 30 days of your receipt of this letter.

1. 40 CFR 60.1010: *"Does this subpart apply to my municipal waste combustion unit? Yes, if your municipal waste combustion unit meets two criteria:*

- (a) Your municipal waste combustion unit is a new municipal waste combustion unit.*
- (b) Your municipal waste combustion unit has the capacity to combust at least 35 tons per day but no more than 250 tons per day of municipal solid waste or refuse-derived fuel."*

40 CFR 60.1465: *"Municipal waste combustion unit means any setting or equipment that combusts solid, liquid, or gasified municipal waste including, but not limited to, ... pyrolysis/combustion units... Municipal waste combustion units do not include pyrolysis or combustion units located at a plastics or rubber recycling unit as specified under Applicability (§ 60.1020(h) and (i)).*

Plastics or rubber recycling unit means an integrated processing unit for which plastics, rubber, or rubber tires are the only feed materials (incidental contaminants may be in the feed materials). The feed materials are processed and marketed to become input feed stock for chemical plants or petroleum refineries. The following three criteria further define a plastics or rubber recycling unit:

(1) Each calendar quarter, the combined weight of the feed stock that a plastics or rubber recycling unit produces must be more than 70 percent of the combined weight of the plastics, rubber, and rubber tires that recycling unit processes.

(2) The plastics, rubber, or rubber tires fed to the recycling unit may originate from separating or diverting plastics, rubber, or rubber tires from municipal or industrial solid waste. The feed materials may include manufacturing scraps, trimmings, and off-specification plastics, rubber, and rubber tire discards.

(3) The plastics, rubber, and rubber tires fed to the recycling unit may contain incidental contaminants (for example, paper labels on plastic bottles or metal rings on plastic bottle caps)."

40 CFR 60.1035: *"How are these new source performance standards structured? These new source performance standards contain five major components:*

(a) Preconstruction requirements.

(1) Materials separation plan.

(2) Siting analysis.

(b) Good combustion practices.

(1) Operator training.

(2) Operator certification.

(3) Operating requirements.

(c) Emission limits.

(d) Monitoring and stack testing.

(e) Recordkeeping and reporting."

40 CFR 60.1040: *"Do all five components of these new source performance standards apply at the same time? No, you must meet the preconstruction requirements before you commence construction of the municipal waste combustion unit. After the municipal waste combustion unit begins operation, you must meet all of the good combustion practices, emission limits, monitoring, stack testing, and most recordkeeping and reporting requirements."*

- a. Freepoint operates two pyrolysis kilns that were each designed with a maximum plastic feedrate of 5 metric tons (tonnes) per hour which is equivalent to 132 tons per day. While processing the initial permit for Freepoint, the facility identified 40 CFR Part 60, Subpart Eb as the New Source Performance Standards that apply to the pyrolysis kilns based on their aggregate throughput (i.e., 265 tons per day). Because applicability is based on the capacity of each municipal waste combustion unit, Ohio EPA has determined that the kilns are subject to 40 CFR Part 60, Subpart AAAAA.
- b. During the initial permitting discussions in 2022, Freepoint requested to be permitted as a plastics/rubber recycling unit based on their design plastic-to-product conversion rate of 85%. On April 23, 2026, Freepoint notified Ohio EPA that the weight of pyrolysis oil produced and marketed was less than 70% of plastics processed for the third and fourth quarters of 2025 and the first quarter of 2026. This initial production information demonstrates that Freepoint has not met any of the requirements that apply to municipal waste combustion units in 40 CFR Part 60, Subpart AAAAA.

- c. Requested actions: Within 30 days of receipt of this letter, Freepoint shall submit a compliance plan that explains how the facility will meet the requirements of 40 CFR Part 60, Subpart AAAAA.

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
Zach Peterson and Josh Koch, DAPC/CO
Brian Dickens, U.S. EPA
Justin Tucker, Freepoint Eco-Systems Hebron