



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

June 21, 2022

VIA ELECTRONIC MAIL:

Brian Bedford, President
Republic Airways Inc.
8909 Purdue Road Ste 300
Indianapolis, IN 46268
bbedford@rjet.com

VIA ELECTRONIC MAIL:

Corporation Service Company, Registered Agent
Republic Airways Inc.
135 North Pennsylvania Street, Suite 1610
Indianapolis, IN 46204
sop@cscglobal.com

Re: Notice of Violation and Proposed Agreed Order
for Violations Identified via Compliance Review
Republic Airways Inc.
Plant ID No. 097-00668
Indianapolis, Marion County
Case No. 2022-28694-A

Dear Mr. Bedford:

A representative of the Indiana Department of Environmental Management ("IDEM"), Office of Air Quality, conducted a compliance review of records concerning Republic Airways Inc. located at 2745 S. Hoffman Road, Dock 67, Hangar 7A-7B in Indianapolis, Indiana. As a result of information obtained during that review, IDEM alleges that a violation of a permit condition occurred. Specifically, Republic Airways Inc. failed to submit the 2021 annual compliance certification no later than April 15, 2022.

In accordance with IC 13-30-3-3, this letter includes a Notice of Violation that sets forth the alleged violation and an Agreed Order that provides Republic Airways Inc. the opportunity to settle this enforcement action. IDEM encourages settlement by Agreed Order when possible to quickly correct environmental violations and avoid litigation.

The alleged violation identified in the Notice of Violation are among those that IDEM has determined qualify for expedited enforcement. This means that the enclosed Agreed Order is non-negotiable, and it represents IDEM's best settlement offer in this matter. The civil penalty included in the Agreed Order is the penalty amount that IDEM will accept only for the settlement of the alleged violation identified therein under its expedited enforcement program.

If Republic Airways Inc. agrees to settle this enforcement action in accordance with the enclosed Agreed Order, its responsible official should sign and return the entire original Agreed Order within sixty (60) days of receipt to IDEM at the following address:

James Swift, Case Manager
Compliance and Enforcement Branch – Mail Code 61-53
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, IN 46204-2251
JSwift@idem.IN.gov

The civil penalty should be sent to the address listed in the Agreed Order within fifteen (15) days of your receipt of a copy of the final adopted Agreed Order. The final adopted Agreed Order will be mailed to you after it is approved and signed by the Assistant Commissioner of IDEM's Office of Air Quality.

IDEM is not required to extend the offer of entry into the Agreed Order for more than sixty (60) days. Because Indiana law allows a source to enter into an Agreed Order without admitting that the violation occurred, the attached Agreed Order includes this non-admission language. (See line 3 of the first paragraph of the Agreed Order.) If the Agreed Order is not entered into, IDEM may proceed with additional enforcement action requiring compliance with permit conditions and may seek monetary penalties in accordance with IDEM's Civil Penalty Policy (ID No. Enforcement 99-0002-NPD), which likely will result in a greater penalty than the penalty amount offered in this Agreed Order.

Please contact James Swift, Case Manager, of my staff at (317) 234-8102 or JSwift@idem.IN.gov if you have any questions.

Sincerely,



David P. McIver, Chief
Enforcement Section
Office of Air Quality

cc: Maxwell Vernon, Environmental Compliance Manager, maxwell.vernon@rjet.com
Marion County Health Department
James Swift, Compliance and Enforcement Branch, Office of Air Quality
Christopher Cissell, Compliance and Enforcement Branch, Office of Air Quality



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June 21, 2022

NOTICE OF VIOLATION

Brian Bedford, President
Republic Airways Inc.
8909 Purdue Road Ste 300
Indianapolis, IN 46268
bbedford@rjet.com

Corporation Service Company, Registered Agent
Republic Airways Inc.
135 North Pennsylvania Street, Suite 1610
Indianapolis, IN 46204
sop@cscglobal.com

Case No. 2022-28694-A

Based on an investigation, the Indiana Department of Environmental Management ("IDEM") has reason to believe that Republic Airways Inc. ("Respondent") has violated an environmental permit condition. The violation is based on the following:

1. Respondent owns and operates a stationary collocated airfield, aerospace vehicle maintenance center and central energy plant with Plant ID No. 097-00668 located at 2745 South Hoffman Road, Dock 67, Hangar 7A - 7B in Indianapolis, Marion County, Indiana (the "Site").
2. Pursuant to condition B.9 of Part 70 Operating Permit No. 097-41829-00668 ("Permit"), Respondent shall annually submit a compliance certification report covering the time period from January 1 to December 31 of the previous year, no later than April 15 of each year.

Respondent failed to submit an Annual Compliance Certification ("ACC") no later than April 15, 2022, in violation of Permit condition B.9. The ACC was submitted to IDEM, Office of Air Quality on June 1, 2022, forty-seven (47) days after the due date.

In accordance with IC 13-30-3-3, the Commissioner herein provides notice that a violation may exist and offers an opportunity to enter into an Agreed Order providing for the actions required to correct the violation and for the payment of a civil penalty for the violation. The Commissioner is not required to extend this offer for more than sixty (60) days. An Agreed Order for your consideration is attached. As noted on the attached Agreed Order, it is a qualified offer of settlement of this matter and, therefore, is inadmissible pursuant to Indiana's Rules of Evidence.

As provided in IC 13-30-3-3, an alleged violator may enter into an Agreed Order without admitting that the violation occurred. IDEM encourages settlement by Agreed Order to quickly correct environmental violations and to avoid litigation.

If the Agreed Order is not entered into within sixty (60) days of receipt of this Notice of Violation, the Commissioner may proceed with additional enforcement action requiring compliance with Permit condition B.9. and may seek additional monetary penalties in accordance with IDEM's Civil Penalty Policy (ID No. Enforcement 99-0002-NPD). Pursuant to IC 13-30-4-1, the Commissioner may assess penalties of up to \$25,000 per day for each violation.

Please contact James Swift, Case Manager, of my staff at (317) 234-8102 or JSwift@idem.IN.gov if you have any questions.

For the Commissioner:

Date: June 17, 2022



David P. McIver, Chief
Enforcement Section
Office of Air Quality

cc: Maxwell Vernon, Environmental Compliance Manager, maxwell.vernon@rjet.com
Marion County Health Department
James Swift, Compliance and Enforcement Branch, Office of Air Quality
Christopher Cissell, Compliance and Enforcement Branch, Office of Air Quality

From: [Vernon, Maxwell C](#)
To: [ROBERTS, GOLDIE](#)
Subject: Read: Republic Airways, Inc. (#28694-A) Notice of Violation & Proposed Agreed Order
Date: Tuesday, June 21, 2022 11:30:32 AM

Your message

To: Vernon, Maxwell C
Subject: Republic Airways, Inc. (#28694-A) Notice of Violation & Proposed Agreed Order
Sent: Tuesday, June 21, 2022 11:12:45 AM (UTC-05:00) Eastern Time (US & Canada)
was read on Tuesday, June 21, 2022 11:29:18 AM (UTC-05:00) Eastern Time (US & Canada).