



State of Ohio Environmental Protection Agency

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\*11J0001420090522\*

MONTGOME MARTIN MARIETTA MATERIALS - PHILLIPSBURG OSTENDORF, ROBE 2009/05/22  
LIMESTONE

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director



State of Ohio Environmental Protection Agency

Southwest District Office

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Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

May 22, 2009

Mr. Patrick Montgomery  
Phillipsburg Limestone  
9843 Dayton-Greenville Pike  
Brookville, OH 45309

Re: Montgomery County, Phillipsburg Limestone, Compliance Evaluation Inspection and Notice of Violation

Dear Mr. Montgomery:

On May 5, 2009, I conducted a Compliance Evaluation Inspection at Phillipsburg Limestone (NPDES Permit No. OH0127043; OEPA Permit No. 11J00014\*GD) as part of the NPDES permit renewal process. This letter also serves as a Notice of Violation for the effluent violations found in Attachment 1 of the inspection report. A copy of my inspection report is enclosed.

During the inspection the following observations were made and will require a written response:

- The balance of the onsite system for the sanitary waste generated at the site must be located and the overall condition of the system must be evaluated. Please advise this office, in writing, of the findings of your investigation regarding this matter by no later than June 30, 2009. (See inspection report for details regarding this matter.)
- The Storm Water Pollution Prevention Plan is not up to date and does not meet the minimum requirements. The plan will need to be reviewed and updated accordingly by no later than July 30, 2009. (See inspection report for details regarding this matter.)
- As part of the inspection process I performed a compliance review for this facility. The compliance review revealed numerous frequency violations and 2 numerical final effluent violations. A corrective action regarding these violations is required. Please provide the proposed corrective actions, in writing, to this office within ten days of receipt of this notification. (See Attachment 1 of the inspection report for details regarding this matter.)
- It was determined that the copy of the facility drawing included with the NPDES



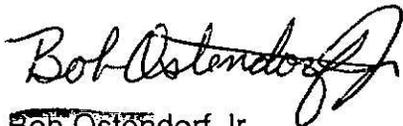
Mr. Patrick Montgomery  
May 22, 2009  
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permit renewal application, which illustrates the location of the pumps and the distribution of the flow may not be the most recent version. Please provide the most up to date version of this drawing with the response to this inspection report.

Please inform this office, in writing, within ten days of receipt of this notification as to the reason for the above referenced violations, as well as a description of the actions taken or proposed to prevent further violations. Your response should include the dates, either actual or proposed, for completion of said actions. Please be advised that failure to comply with the effluent limitations, monitoring, or reporting requirements of your NPDES Permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.

If you have any questions regarding this matter please feel free to contact me at (937) 285-6107 or via email at: [Robert.Ostendorf@epa.state.oh.us](mailto:Robert.Ostendorf@epa.state.oh.us).

Sincerely,



Bob Ostendorf Jr.  
Division of Surface Water  
Permits Section

Enclosure



State of Ohio Environmental Protection Agency  
Southwest District Office

NPDES Compliance Inspection Report

Section A: National Data System Coding					
Permit #	NPDES#	Month/Day/Year	Inspection Type	Inspector	Facility Type
OH0127043	11J00014*GD	5/5/09	C	S	2

Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
Phillipsburg Limestone – Martin Marietta Materials Inc. 9843 Dayton Greenville Road Brookville, OH 45309	1:00	10/01/04
	Exit Time	Permit Expiration Date
	3:30	9/30/09
Name(s) and Title(s) of On-Site Representatives	Phone Number(s)	
Patrick Montgomery, Senior Environmental Engineer	(513) 492-5651	
Name, Address and Title of Responsible Official	Phone Number	
John J. Tiberi, President	(513) 492-5651	

Section C: Areas Evaluated During Inspection					
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)					
S	Permit	S	Flow Measurement	N	Pretreatment
M	Records/Reports	N	Laboratory	N	Compliance Schedule
M	Operations & Maintenance	S	Effluent/Receiving Waters	N	Self-Monitoring Program
S	Facility Site Review	N	Sludge Storage/Disposal	N	Other:
N	Collection System				

Section D: Summary of Findings (Attach additional sheets if necessary)	
See Attached Summary of Findings / Comments.	
Inspector	Reviewer
 Bob Ostendorf Jr. Permit Section Division of Surface Water Southwest District Office	 Martyn Burt Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office
5-22-09 Date	5/22/09 Date

## Summary of Findings / Comments

### Areas Requiring a Response

At the time of the inspection the location of the onsite system for the sanitary waste generated at the facility could not be located. I also inquired as to the last time the septic tank was cleaned out and you were unable to provide me with a date. After reviewing the matter you stated that it was your intent to have the sewage line televised to determine the location of the onsite system. Per our conversation earlier this week you have located the septic tank but have yet to locate the balance of the onsite system. During our conversation you stated that you would be able to determine the location of the balance of the treatment system within the next 30 days. Please advise this office in writing of the findings of your investigation by no later than June 30, 2009.

During the inspection I reviewed the Storm Water Pollution Prevention Plan. It was noted that the team members listed in the plan are no longer with the company. It was also discovered that the plan did not contain a site drainage map. The plan must be reviewed periodically to ensure that the plan is up to date and representative of the actions being taken to prevent storm water contamination. The plan needs to be reviewed and updated by no later than July 30, 2009.

As part of the inspection process I performed a compliance review for this facility. The compliance review revealed that numerical and frequency violations have occurred. Please refer to Attachment 1 included with this report for details. During our conversation earlier this week you stated that you have documentation that the monitoring was performed as required and that the frequency violations are invalid. Please provide said documentation when you respond to this inspection report. A response to the numerical final effluent violations will also be required.

It was determined that the copy of the facility drawing included with the NPDES permit renewal application, which illustrates the location of the pumps and the distribution of the flow may not be the most updated version. Please provide the most up to date version of this drawing with the response to this inspection report.

### Areas Not Requiring a Response

The inspection included a review of the files kept onsite and a tour of the facility. During the review of the files we discussed some improvements that need to be made with regards to the chain of custody for the sampling performed at the site.

We also discussed the potential source of ammonia reported in the NPDES permit renewal application. You suggested that the source of ammonia was due to farm field run-off running onto the site.

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I inquired as to the method of dust suppression used at the facility and was informed that a 2-4 times a year the facility used calcium chloride for dust suppression and the balance of the time, water was used for dust suppression.

It was determined that all monitoring is performed at the location in which the wastewater leaves the facility property. I did observe a minimal amount of solids along the ditch used for the conveyance of the discharge but did not observe any solids downstream of the facility property line.

Attachment I

Phillipsburg Limestone

Effluent Limit Violations for October 2004 through March 2009

Reporting Period	Parameter	Limit Type	Limit	Reported Value	Violation Date
January 2005	Total Suspended Solids	Monthly Conc	30	40.	1/1/2005
May 2006	Total Suspended Solids	Monthly Conc	30	38.	5/1/2006

Frequency Violations for October 2004 through March 2009

Reporting Period	Parameter	Sample Frequency	Expected	Reported	Violation Date
October 2004	pH, Maximum	1/Month	1	0	10/01/2004
October 2004	pH, Minimum	1/Month	1	0	10/01/2004
November 2004	pH, Maximum	1/Month	1	0	11/01/2004
November 2004	pH, Minimum	1/Month	1	0	11/01/2004
December 2004	pH, Maximum	1/Month	1	0	12/01/2004
December 2004	pH, Minimum	1/Month	1	0	12/01/2004
January 2005	pH, Maximum	1/Month	1	0	01/01/2005
January 2005	pH, Minimum	1/Month	1	0	01/01/2005
July 2005	Flow Rate	1/Day	1	0	07/01/2005
July 2005	Flow Rate	1/Day	1	0	07/02/2005
July 2005	Flow Rate	1/Day	1	0	07/03/2005
July 2005	Flow Rate	1/Day	1	0	07/04/2005
July 2005	Flow Rate	1/Day	1	0	07/05/2005
July 2005	Flow Rate	1/Day	1	0	07/06/2005
July 2005	Flow Rate	1/Day	1	0	07/07/2005
July 2005	Flow Rate	1/Day	1	0	07/08/2005
July 2005	Flow Rate	1/Day	1	0	07/09/2005
July 2005	Flow Rate	1/Day	1	0	07/10/2005
July 2005	Flow Rate	1/Day	1	0	07/11/2005
July 2005	Flow Rate	1/Day	1	0	07/12/2005
July 2005	Flow Rate	1/Day	1	0	07/13/2005
July 2005	Flow Rate	1/Day	1	0	07/14/2005
July 2005	Flow Rate	1/Day	1	0	07/15/2005
July 2005	Flow Rate	1/Day	1	0	07/16/2005
July 2005	Flow Rate	1/Day	1	0	07/17/2005
July 2005	Flow Rate	1/Day	1	0	07/18/2005
July 2005	Flow Rate	1/Day	1	0	07/19/2005
July 2005	Flow Rate	1/Day	1	0	07/20/2005
July 2005	Flow Rate	1/Day	1	0	07/21/2005
July 2005	Flow Rate	1/Day	1	0	07/22/2005
July 2005	Flow Rate	1/Day	1	0	07/23/2005
July 2005	Flow Rate	1/Day	1	0	07/24/2005

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Frequency Violations for October 2004 through March 2009 (cont.)

Reporting Period		Parameter	Sample Frequency	Expected	Reported	Violation Date
July	2005	Flow Rate	1/Day	1	0	07/25/2005
July	2005	Flow Rate	1/Day	1	0	07/26/2005
July	2005	Flow Rate	1/Day	1	0	07/27/2005
July	2005	Flow Rate	1/Day	1	0	07/28/2005
July	2005	Flow Rate	1/Day	1	0	07/29/2005
July	2005	Flow Rate	1/Day	1	0	07/30/2005
July	2005	Flow Rate	1/Day	1	0	07/31/2005
July	2005	pH, Maximum	1/Month	1	0	07/01/2005
July	2005	pH, Minimum	1/Month	1	0	07/01/2005

