OhioEPA

State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Allen County
Bluffton Stone Company
Premise Nos. 0302950001,
0302950002 and 0302950003
Return to Compliance

October 30, 2008

Mr. Jim Scheub, Environmental Manager
Gerken Materials, Inc.
P.O. Box 607
Napoleon, Ohio 43545

Dear Mr. Scheub:

The Division of Air Pollution Control/Northwest District Office (DAPC/NWDO) has reviewed the company's letter dated October 9, 2008 which was submitted in response to the Notice of Violation (NOV) issued by DAPC/NWDO on September 5, 2008. The NOV was issued for violations of visible emissions limitations on the Terex Pegson primary jaw crusher for emissions unit F003, Premise No. 0302950001; and the material transfer point immediately prior to the 6S Grasan stacker for emissions unit F001, Premise No. 0302950003.

On October 28, 2008, DAPC/NWDO conducted a follow-up inspection, including Method 9 visible emissions observations for the above referenced emissions units. The inspection findings are summarized as follows:

1. Maximum opacity for the Terex Pegson primary jaw crusher was 11.3 percent as a six-minute average, which is less than the allowable 15 percent as a six-minute average;

2. Flexible rubber material has been added to the bottom of the primary jaw crusher, which has reduced the amount of fugitive dust from underneath the crusher;

3. There were no visible emissions (zero percent opacity as a six-minute average) for the material transfer point immediately prior to the 6S Grasan stacker, which is less than the allowable 10 percent as a six-minute average; and

4. Water spray has been added to the conveyor for the size 6S stone, and the stone has adequate moisture content.

Based on the company's response to the NOV, the compliant opacity readings and the action plan provided, we have determined that the compliance plan is acceptable. The actions taken have corrected the violations and these emission units are now being operated in compliance with the permit requirements. Please note, however, that this does not preclude the Director from seeking civil penalties pursuant to ORC section 3704.06 for these violations. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements.

If you have any questions and/or comments, please contact me at (419) 373-3128.

Sincerely,

Jeffrey A. Skebba
Environmental Specialist
Division of Air Pollution Control

/csl

pc: Tom Kalman - DAPC/CO
Lisa Holscher - U.S. EPA Region V
Don Waltermeyer - DAPC/NWDO
DAPC-NWDO File