



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Allen County
Bluffton Stone Company
Premise Nos. 0302950001,
0302950002 and 0302950003
Notice of Violation

September 5, 2008

CERTIFIED MAIL
7002 2410 0003 1155 8874

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

Dear Mr. Scheub:

This letter shall serve as a follow-up to the August 26, 2008 inspection by the Division of Air Pollution Control (DAPC) of the three above-referenced Bluffton Stone Company facilities by Jeffrey Skebba and Brian Riedmaier. The purpose of the inspection was to determine the compliance status of all air contaminant emissions units (including portable equipment) which were operating at the Bluffton Stone Company site in Bluffton, Ohio (northeast side of Interstate Highway 75 and Bentley Road).

Based on discussions and observations during the inspection, and a review of the company's files, our findings are as follows:

1. Portable aggregate processing equipment from each of the three premise numbers 0302950001, 0302950002 and 0302950003 was operating at the Bluffton site referenced in the first paragraph of this letter. DAPC conducted visible emissions observations with U.S. EPA reference method 9. Violations of opacity limitations occurred for the following:
 - Premise No. 0302950001: the Terex Pegson primary jaw crusher for emissions unit F003 had 16 separate six-minute average opacities greater than the allowable 15% as a six-minute average, and a maximum of 16.9% as a six-minute average occurred. This is a violation of permit terms Part II, A.1 and A.2.f in permit to install (PTI) No. 03-16313, the opacity standards in 40 CFR Part 60, Subpart OOO and ORC 3704.05.

The operator was applying water with a front end loader to the stone prior to placing it into the primary crusher feeder. However, there was a significant amount of fugitive dust being emitted from underneath the crusher which resulted in the opacity exceeding the allowable limit. It was evident that best available control measures outlined in permit terms A.2.a through A.2.c in PTI No. 03-16313 for this emissions unit were not being fully used to minimize visible emissions of fugitive dust.

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- Premise No. 0302950003: the material transfer point immediately prior to the 6S Grasan stacker for emissions unit F001 had 25 separate six-minute average opacities greater than the allowable 10% as a six-minute average, and a maximum of 18.1% as a six-minute average occurred. This is a violation of permit terms Part II, A.1, A.2.b and A.2.h in PTI No. 03-16322, the opacity standards in 40 CFR Part 60, Subpart OOO and ORC 3704.05.

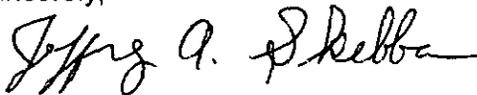
There was no water spray being used for this material transfer point which is a required best available control measure in permit term A.2.b in PTI No. 03-16322.

2. Review of aggregate production records indicated that total production is in compliance with applicable throughput limitations.
3. Unpaved roadways and parking areas were adequately watered for the duration of the inspection.

With the exception noted in item No.1 above, all other emissions units appear to be in compliance with applicable air pollution control regulations of Ohio EPA at this time. Please submit a written response for item No. 1 above by October 10, 2008 which includes corrective actions that will be completed for the two visible emissions violations.

Please be advised that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date. 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)
NWDO Follow-up File

0302950001, 0002, 0003 Gerken Materials
9/5/08

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GERKEN MATERIALS INC
 PO BOX 607
 NAPOLEON OH 43545

DAPC/Jeff S.
 csl

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<p>1. Article Addressed to:</p> <p>MR JIM SCHEUB ENV MGR GERKEN MATERIALS INC PO BOX 607 NAPOLEON OH 43545</p> <p>DAPC/Jeff S./csl</p>	<p>3. Service</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
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