



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

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

Re: Allen County Premise #0302020362  
OmniSource Corporation  
Lima Division  
Notice of Violation

May 7, 2008

**CERTIFIED MAIL**

Mr. David Dray, Division Manager  
OmniSource Corporation  
Lima Division  
P.O. Box 5248  
Lima, Ohio 45802

Dear Mr. Dray:

This letter shall serve as a follow-up to the inspection conducted on April 30, 2008, of the above referenced facility by Jeffrey Skebba, E. Jay Murphy and Brian Riedmaier of the Division of Air Pollution Control/Northwest District Office (DAPC/NWDO). The inspectors met with Rob Carman, Yard Supervisor. The purpose of this inspection was to conduct additional visible emissions readings in response to citizen complaints of excessive fugitive dust being emitted from roadways at and around the facility. A written response is being requested by June 9, 2008, based on the inspection findings.

Based on discussions and observations during the inspection, our findings are as follows:

1. Excessive amounts of dried mud were observed to have been deposited on the south lane of East 4<sup>th</sup> Street from trucks exiting the facility on the main haul road immediately west of the company's office building. This haul road is a paved concrete surface entering onto East 4<sup>th</sup> Street and is unpaved further back on the company's property. East 4<sup>th</sup> Street is a paved, public thoroughfare.
2. Visible emissions readings were conducted along East 4<sup>th</sup> Street, north of the company's office building. U.S. EPA Reference Method 22 was used to determine the total amount of time visible fugitive dust emissions occurred. Visible fugitive dust was observed on East 4<sup>th</sup> Street from truck and car traffic for a total of 21 minutes and 36 seconds during a 60 minute observation period which began at 1:30 p.m. and concluded at 2:40 p.m. (two five-minute rest breaks were part of the observation period).

The amount of time visible emissions occurred is greater than the time that would be allowed in OAC rule 3745-17-07(B)(4), i.e., - greater than six minutes per 60 minute observation period. In addition, reasonably available control measures that would be required in OAC rule 3745-17-08(B)(2), (8), & (9) were not being used, as significant amounts of fugitive dust were being emitted from vehicular traffic on East 4<sup>th</sup> Street.

At 1:35 p.m., the company's Sentinel vacuum truck was observed on East 4<sup>th</sup> Street going approximately one to two blocks east, and one block west of the main haul road exit. This street cleaning continued until 1:53 p.m. However, the cumulative time with visible fugitive dust emissions had already exceeded the six minute limitation by 1:50 p.m.

3. Based on our observations, the tire grate system described in the company's May 1, 2006, compliance plan had minimal use. Most haul trucks were observed exiting the facility without using this system. In the company's compliance plan, all haul trucks were to use this.
4. The concrete apron areas on both sides of the office building had excessive amounts of dust build-up.
5. The unpaved roadways within the facility property appeared to be adequately watered to control fugitive dust. This, however, caused mud to be tracked onto the paved areas.

Although the facility is not located in an "Appendix A" area as specified in OAC rule 3745-17-08, there is sufficient evidence that fugitive dust emissions are continuing to cause a public nuisance in violation of OAC rule 3745-15-07. Please note that the fugitive dust requirements/visible emission limitations in OAC rules 3745-17-07(B) and 3745-17-08(B) are reasonably available control measures and attainable levels of fugitive dust control. We do not believe the company is making a reasonable effort to control its dust.

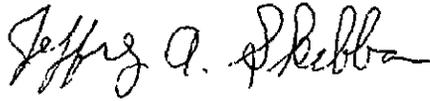
Based on the amount of time that excessive fugitive dust emissions were observed, it is apparent that the company needs a more expedited approach to controlling the dust levels. Please submit a written response by June 9, 2008 and indicate what steps the company will take to minimize the fugitive dust emissions.

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.

Mr. David Dray, Division Manager  
May 7, 2008  
Page 3

Should you have any questions or comments, feel free to contact me at (419)  
373-3128.

Sincerely,



Jeffrey A. Skebba  
Environmental Specialist  
Division of Air Pollution Control

/llr

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