



Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Auglaize County
0306000125
The Shelly Company
Stack Test
HPV-GC8
Notice of Violation

October 25, 2011

CERTIFIED MAIL

Ms. Beth Mowrey
The Shelly Company
P. O. Box 266
Thornville, Ohio 43076

Dear Ms. Mowrey:

The stack test conducted on August 25, 2011, on Ohio EPA emissions unit No. P901 (Asphalt Plant), has been reviewed. The testing was conducted in conformance with Ohio EPA methods and procedures. Our review confirms the following reported data is accurate:

**Critical Test Data
(In Three Run Averages)**

| Pollutant | Actual Emission Rate | Allowable Emission Rate | Source Operating Rate | Maximum Source Operating Rate ^a |
|-----------------|--------------------------------------|--------------------------------------|-----------------------|--|
| PM | 0.009 gr/dscf 0.01 lb/ton asphalt | 0.04 gr/dscf 0.033 lb/ton asphalt | 201.9 TPH | 300 TPH |
| SO ₂ | 0.10 lb/ton asphalt | 0.12 lb/ton asphalt | 201.9 TPH | 300 TPH |
| NO _x | 0.08 lb/ton asphalt | 0.075 lb/ton asphalt | 201.9 TPH | 300 TPH |

^a Maximum Source Operating Rate (MSOR) is defined as the condition that is most likely to challenge the emission control measures with regards to meeting the applicable emission standard(s). Although it generally consists of operating the emissions unit at its maximum material input/production rates and results in the highest emission rate of the tested pollutant, there may be circumstances where a lower emissions loading is deemed the most challenging control scenario. Failure to test at the MSOR is justification for not accepting the test results as a demonstration of compliance.

| Pollutant | Actual Emission Rate | Allowable Emission Rate | Source Operating Rate | Maximum Source Operating Rate ^b |
|-----------|-------------------------------------|-------------------------|-----------------------|--|
| CO | 0.17 lb/ton asphalt | 0.274 lb/ton asphalt | 201.9 TPH | 300 TPH |
| VOC | 0.06 lb/ton asphalt (as propane) | 0.200 lb/ton asphalt | 201.9 TPH | 300 TPH |

Also, the following parameters were recorded during the test:

| Parameter | Required | Actual |
|------------------------|------------------|------------------|
| Baghouse Pressure Drop | 1-8 inches water | 7.2 inches water |
| Fuel Sulfur Content | < 0.5% | 0.4% |

The plant was being operated in violation of its allowable emissions rate for NO_x (violation of the Permit to Install permit term and condition C.1.(b)(1)(a), OAC rule 3745-31-05(A)(3)(a) and Ohio Revised Code 3704.05).

In the test report the company acknowledges the NO_x limit exceedance and commits to resolving the issue by submitting a permit modification request within 60 days of the date of the report (October 11, 2011). The modification request will be to increase the NO_x limit in the permit. The submittal of this information shall serve as the company's compliance plan and schedule. The facility shall submit this information by no later than December 23, 2011. If, for any reason, the NO_x limit is not increased to therefore make this testing acceptable, the company will be required to retest. Please note that the submission of the requested information to respond to this letter does not constitute a waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

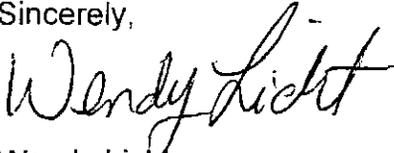
Given the conditions during which this testing event occurred, the plant operating rate of 201.9 TPH is acceptable for the purpose of demonstrating compliance. However if in the future this rate is exceeded by more than 10% it will be necessary to perform another stack test. Also if in the future Shelly runs a design mix that would produce a higher level of emissions it may be necessary to retest.

^b Maximum Source Operating Rate (MSOR) is defined as the condition that is most likely to challenge the emission control measures with regards to meeting the applicable emission standard(s). Although it generally consists of operating the emissions unit at its maximum material input/production rates and results in the highest emission rate of the tested pollutant, there may be circumstances where a lower emissions loading is deemed the most challenging control scenario. Failure to test at the MSOR is justification for not accepting the test results as a demonstration of compliance.

Ms. Beth Mowrey
October 25, 2011
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You may contact me at (419) 373-3134, should you have any questions or comments regarding this letter.

Sincerely,



Wendy Licht
Division of Air Pollution Control

//lr

pc: Robert Teer, DAPC-NWDO
Tom Kalman, DAPC-CO
Lisa Holscher, US EPA
~~DAPC-NWDO file~~
DAPC, NWDO Stack File
Follow-up File
Certified Mail Receipt Number 7009 1410 0001 1834 1798

ec: Wendy Licht, DAPC-NWDO
Jay Liebrecht, DAPC-NWDO
Robert Teer, DAPC-NWDO
Tom Sattler, DAPC-NWDO
Mark Budge, DAPC-NWDO
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