



**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

January 7, 2011

Mrs. Connie Brown, Treasurer  
Sunset Ramblers Motorcycle Club  
5354 St. James Road  
Waldo, Ohio 43356

RE: Notice of Violation (NOV/non-HPV) to Sunset Ramblers Motorcycle Club (0317030050) due to complaint received on July 11, 2010 with follow-up visit on July 18, 2010

Dear Mrs. Brown:

The purpose of this letter is to summarize ongoing complaints and compliance issues at the above referenced facility, regarding the dirt race track, emissions unit F001. A summary of the facility's history with the Ohio Environmental Protection Agency's (Ohio EPA) Northwest District Office (NWDO), Division of Air Pollution Control (DAPC) is as follows:

Due to the numerous complaints, it was determined that there was probable cause to believe that Sunset Ramblers Motorcycle Club (Sunset) caused a public nuisance resulting in Ohio EPA issuing Sunset a Permit-to-Operate (PTO) on April 3, 1997. The PTO states that dust suppressants shall be applied "to minimize or eliminate, at all times, visible emissions..." and requires that dust suppressant be applied once each day, at a minimum, when the track is in use and for water usage records to be maintained. Since the PTO was issued, activities at the track have periodically generated fugitive dust complaints that resulted in notice of violation letters being issued.

On May 5, 2010, Ohio EPA issued Sunset a warning letter regarding a previous complaint that was received in April. Additionally, Mr. Don Waltermeyer and Ms. Jennifer Jolliff, of this office, visited the track to discuss the situation with members of the board and Ohio EPA's expectations of Sunset according to the PTO that was issued on April 3, 1997. The issue of fugitive dust generated by track preparation activities, flat track/motocross practices or paid events as a result of inadequate watering has been an ongoing problem at this facility for years. Neighbors to the track have complained about dust from the track impacting their property, health, quality of life and in some cases, their livelihood. They have also stated that, in the past, some track members expressed an unconcerned, ignorant and uncivil attitude toward addressing the nuisance they were creating.

On July 11, 2010, NWDO, DAPC received a complaint from a neighbor regarding excessive fugitive dust emissions during a practice day at the track. Based on watering logs submitted by Sunset, water was applied during the practice on July 11, 2010, however the complainant was still affected.

In response to the complaint, I attended the motocross race on July 18, 2010, unannounced, and conducted two sets of visible emissions readings to determine compliance with the permitted standard of 13 minutes of visible emissions per hour. The first observation area was a jump along the north side of the track, close to the complainant's property line and driveway. A violation of the 13-minute standard was recorded in 37 minutes. A second observation point was then established near the clubhouse flagpole and readings were taken, using the starting gate area as the observation area. During the second reading a violation of the 13-minute standard was recorded in 48 minutes. It should be noted that watering of various parts of the track took place while the visible emission readings were conducted, however, efforts were insufficient to adequately control dust, per the allowed standard.

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After completing the readings, I announced my presence to the facility and the matter was discussed with facility representatives. As indicated at that time, each failure to meet the visible emission limitation specified in the PTO issued on April 3, 1997, constitutes a violation of OAC rule 3745-17-05(B) and Ohio Revised Code (ORC) 3704.05.

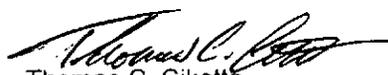
As stated in previous correspondence, Ohio EPA's expectations, as outlined in the PTO, are clear: Sufficient and repeated watering of the flat and motocross tracks anytime they are in use is required in order to reduce fugitive particulate emissions. Future complaints that result in the issuance of a notice of violation will be addressed through permit modifications and enforcement action.

At this time, Ohio EPA is requiring Sunset to develop a written dust control plan for both the motocross and flat tracks and submit them for Ohio EPA review. It should be submitted to Ohio EPA, NWDO and contain the facility's most recent version of a dust control plan. The plan must describe tactics used to remedy the observed situation and prevent these, or any similar such situation, from occurring in the future. The company's dust control plan and written response to this letter are requested by February 11, 2011.

Please note that the submission of information to respond to this letter does not constitute a waiver of 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.

If the company has any questions and/or comments concerning this letter, please contact me at the above address, by calling (419) 373-3137, or via e-mail at [thomas.cikotte@epa.state.oh.us](mailto:thomas.cikotte@epa.state.oh.us).

Sincerely,

  
Thomas C. Cikotte  
Division of Air Pollution Control

/cs

pc: ~~Thomas C. Cikotte, DAPC - NWDO~~

ec: William MacDowell, U.S. EPA Region V  
Tom Kalman, DAPC - CO  
Jennifer Jolliff, DAPC - NWDO  
Thomas C. Cikotte, DAPC - NWDO