



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: Crawford County
Sunset Ramblers Motorcycle Club
1683 N. Market Street
Galion, OH 44833
Premise # 0317030050
Notice of Violation (NOV)

September 3, 2009

Ms. Karen Foltz
127 South Water Street
Box 65
Caledonia, Ohio 43314

Dear Ms. Foltz:

This letter shall serve as follow-up to the telephone conversation we had on August 27, 2009 regarding a complaint received on August 11th about fugitive dust emissions from the above-referenced facility. This complaint was then investigated on August 15th by determining Sunset Ramblers Motorcycle Club (SRMC)'s compliance with the rules and regulations of the Division of Air Pollution Control (DAPC).

After having reviewed the facility files at the Northwest District Office (NWDO), the result of the investigation can be summarized as follows:

- 1- SRMC was issued a Permit to Operate (PTO) on April 3, 1997 to operate the race track. SRMC submitted a renewal application on March 20, 2000 and, although it has not been renewed, SRMC must comply with the requirements of the expired permit. The permit requires the facility to have no visible particulate emissions from any one part of the race track except for a period of time not to exceed 13 minutes during any 60-minute observation period. You had requested in the phone conversation under what authority this rule was established. This rule can be viewed on page 5 of the document <http://www.epa.state.oh.us/dapc/regs/3745-17/17-07.pdf> (see #5). The permit further requires SRMC to apply dust suppressants (in this case, water) to the unpaved road track to minimize or eliminate, at all times, visible emissions of fugitive dust generated by vehicular traffic.
- 2- SRMC operates two motocross tracks. The short track was the first witnessed during the investigation. It appeared that the starting line and beyond was damp enough that minimal emissions were occurring. This part of the track is farthest from the street (SR 598).
- 3- There is a mini track that is utilized by smaller bikes and ATVs. Before VE observations were taken on this track, the operator sprayed water on part of it. The main issue with the watering of the track is that it was not being done on the portion that created the most dust.

- 4- Ironically, this area is closest to the main road and could possibly be a nuisance to neighbors on the other side of the road. During only 15 minutes and 15 seconds of observations, this portion of the track (closest turn to the finish line) was observed to have 14 minutes and 9 seconds of particulate emissions. Therefore, SRMC is in violation of the permitting requirement indicated in #1 as well as in violation of Ohio Revised Code (ORC) §3704.05.
- 5- The short track has an area where there was also significant dust generated during the race. The reason is that there was no water applied in that section of the track. The location is the midway point of the course where the racers turn to head towards the finish line. In only 9 minutes and 50 seconds of observations of this part, 6 minutes and 53 seconds of visible emissions were observed.
- 6- It is incumbent upon the operators to properly water these two areas indicated in #3 and #4. Otherwise, SRMC will continue to be in violation of the PTO. It is also necessary that SRMC comply with the monitoring and recordkeeping requirements indicated in the PTO.
- 7- Enclosed with this letter is a copy of the complaint.

SRMC's written response indicating its understanding of these requirements and its commitment to comply with them is requested by no later than September 25, 2009.

Please be advised that any further violations of the terms and conditions of the PTO may constitute the Ohio EPA's authority to seek civil penalties pursuant to ORC §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 concerns about this letter, please contact me at (419) 373-3118 or by e-mail at mohammad.smidi@epa.state.oh.us.

Sincerely,



Mohammad Smidi
Environmental Specialist
Division of Air Pollution Control

/csl

ec: Joe Grob, DAPC/NWDO
Jennifer Jolliff, DAPC/NWDO
Mark Budge, DAPC/NWDO
Tom Sattler, DAPC/NWDO

pc: Don Waltermeyer, DAPC/NWDO
Lisa Holscher, US EPA Region V
Tom Kalman, DAPC/CO
DAPC/NWDO Crawford County Facility File

**OHIO ENVIRONMENTAL PROTECTION AGENCY
COMPLAINT INVESTIGATION REPORT**

DISTRICT	COUNTY	DATE RECEIVED	DATE(S) INVESTIGATED
NWDO	Crawford	8/11/2009	August 15, 2009
TYPE	AIR		COMPLAINANT: (NAME, ADDRESS, PHONE #)
TELEPHONE <input checked="" type="checkbox"/>	INDUSTRIAL <input type="checkbox"/>		Rob Spangler 1753 State Route 598 Galion, OH 44833 (419) 468-9527
VISIT <input type="checkbox"/>	PARTICULATE <input type="checkbox"/>		
LETTER <input type="checkbox"/>	ODOR <input type="checkbox"/>		
DCN <input type="checkbox"/>	FUGITIVE DUST <input checked="" type="checkbox"/>		SUSPECTED SOURCE OF EMISSIONS: (INCLUDING PREMISE #)
E-MAIL <input type="checkbox"/>	OPEN BURNING <input type="checkbox"/>		Sunset Ramblers Motorcycle Club (0317030050) 1126 S. Market St. P.O. Box 477 Galion, OH 44833
OTHER <input type="checkbox"/>	OTHER <input type="checkbox"/>		SOURCE OPERATOR: (NAME, ADDRESS, PHONE #)
HPF <input type="checkbox"/>			

STATEMENT OF COMPLAINANT: On 08/09/2009, motorcycles were practicing on the track and kicking up lots of dirt. The dirt was carrying over 100 yards to the complainant's property, affecting his family's breathing.

STATEMENT OF SOURCE OPERATOR: Did not speak to anyone at the site about the issue but was approached by a man who was interested in what readings were being taken and why. Did not last there much longer after that as I had completed the visual observations.

Spoke to Karen Foltz on August 27, 2009 regarding the situation. She has handled the last issue with EPA. Mailing address was obtained and a Notice of Violation will be sent

FINDINGS: JUSTIFIED NOT JUSTIFIED CANNOT BE DETERMINED

It was certain that dust was being kicked up, but there was not sufficient evidence that this dust carried over onto people's property. However, it was enough for a violation to be determined.

RECOMMENDATIONS: The facility may better treat the situation by utilizing dust suppression (in this case, water) on areas where there are turns. There are some spots where it was wet enough to suppress dust. However, water was not applied to sensitive areas like the turns causing dust in excess of the allowable 13 minutes in a sixty minute observation period.

DATE OF WRITTEN FOLLOW UP 09 / 03 / 2009

CORRECTIVE ACTION AGREED TO BY SOURCE: No specifics were discussed with Ms. Foltz but there needs to be a change in operation to avoid violations such as the one on August 15th.

COMMENTS: There are two main problems, one on each track. The problems are where the turns occur on the individual tracks. There is no water placed there at all which just lends support to the complainant's case.

INVESTIGATOR(S): Mark Budge/Mohammad Smidi

DATE RESOLVED: 08 / 27 / 2009