



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.ohio.gov

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

Re: Erie County
Premise #0322020256
Erie Materials, Inc.
Stack Test
Notice of Violation
HPV-GC8

November 2, 2010

CERTIFIED MAIL

Mr. Robert Boehk, General Counsel
Erie Materials, Inc.
P. O. Box 2308
4507 Tiffin Avenue
Sandusky, Ohio 44871

Dear Mr. Boehk:

The stack test conducted on July 21, 2010, on Ohio EPA emissions unit No. P901 (400 TPH, drum mix asphalt plant), located at 9220 Portland Road, Castalia, has been reviewed. The test was conducted while burning natural gas and using approximately 20% recycled asphalt pavement (RAP) in the aggregate mix. The purpose of the testing event was a compliance demonstration for all pollutants to resolve any remaining issues from a previously failed stack test event conducted August 11, 2009, which was done to fulfill the requirements of the Consent Order (Case NO. 2006-CV-1028), filed September 24, 2008. This compliance demonstration 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	0.024 lb/ton asphalt	0.033 lb/ton asphalt	383.7 TPH	400 TPH
NO _x	0.021 lb/ton asphalt	0.026 lb/ton asphalt	383.7 TPH	400 TPH
SO ₂	0.00043 lb/ton asphalt	0.0034 lb/ton asphalt	383.7 TPH	400 TPH
CO	0.15 lb/ton asphalt	0.15 lb/ton asphalt	383.7 TPH	400 TPH
VOC	0.12 lb/ton asphalt	0.10 lb/ton asphalt	383.7 TPH	400 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.



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November 2, 2010
Page 2

Also, a baghouse pressure drop of 6" of water was recorded during the stack test (the required value is 2-8" of water).

The emissions unit was being operated in violation of its allowable emissions rate established in Permit to Install and Operate (PTIO) #P0105371, issued July 14, 2010, for volatile organic compounds (VOCs). This is a violation of Ohio Administrative Code (OAC) rule 3745-31-05(A)(3) and Ohio Revised Code (ORC) Section 3704.05. To address the exceedance observed during this testing event, additional VOC testing will now be required. Furthermore, the observed emissions rate for carbon monoxide (CO) was at the allowable limit during this test and the nitrogen oxide (NOx) emissions rate during the compliance testing on May 19, 2010 (testing introduced slag into aggregate mix) indicated a potential exceedance. Therefore, the Division of Air Pollution Control, Northwest District Office (DAPC, NWDO) is requesting Erie Materials, Inc. (EMI) to retest emissions unit P901 for NOx and CO also. Please be aware that, if in the future, Erie decides to run a design mix that would produce a higher level of emissions it might be necessary to conduct additional testing.

NWDO is requesting that EMI submit a written response to this letter which includes, at a minimum, the following:

1. A detailed compliance plan and schedule that includes retesting of the emissions unit.
2. Any measures taken since the most recent test date to reduce VOC emissions.

The company is required to submit this information by no later than November 26, 2010. 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.

If you have any questions and/or concerns regarding this letter, you can contact me electronically at brian.riedmaier@epa.state.oh.us or by phone at (419) 373-3110. Thank you.

Sincerely,



Brian Riedmaier
Division of Air Pollution Control

//lr

pc: Jim Orlemann, DAPC-CO
Tom Kalman, DAPC-CO
Robert Teer, DAPC-NWDO
Gary Pasheilich, Ohio Attorney General's Office
DAPC-NWDO Asphalt Facility File
DAPC-NWDO Stack Test File
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TO: MR. ROBERT BUCK, LEGAL COUNSEL
 CLE MATERIALS, INC.
 P.O. Box 2308
 4507 TIFFIN AVENUE
 SANDUSKY, OHIO 44871

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 MR ROBERT BUCK, LEGAL COUNSEL
 CLE MATERIALS, INC
 P.O. Box 2308
 4507 TIFFIN AVENUE
 SANDUSKY, OHIO 44871

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