



State of Ohio Environmental Protection Agency

Northwest District Office

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

June 12, 2008

Mr. Tom Bischoff, President
Area Rock, LLC.
875 East Main St.
Woodville, OH 43469

Subject: Notice of Violation (NOV) for failure to submit deviation reports and failure to respond to previous NOV.

Dear Mr. Bischoff:

As you are aware, Area Rock, LLC (Area Rock) was issued a NOV on February 1, 2008 for failing to submit deviation reports associated with permits to install (PTI's) 03-16087, issued February 10, 2004 and 03-16141, issued August 12, 2004. As stated in the previous NOV, the Northwest District Office (NWDO) has not received any deviation reports from the company since April 25, 2007 and requested all past due reports be submitted no later than February 29, 2008. Failure to submit the required reports is a violation of the terms and conditions of the permits and ORC 3704.05.

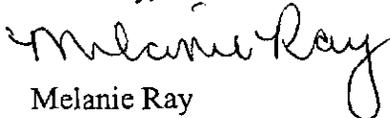
Since the requested reports have not been received, representatives from this office conducted a site visit on May 15, 2008 to observe the facility operations and review records required by the permits. At the time of our visit, nobody at the facility was able to produce any records for us to look at or verify if they were being kept or not. We were put in contact with Ms. Ginger Edmonds who also could not verify at that time if records were being kept. Unless the company can confirm otherwise, at this point in time, this office can only assume that the required records are not being kept. This is also a violation of the terms and conditions of the permits and ORC 3704.05.

A meeting with Ms. Edmonds was held on May 21, 2008 to discuss the above mentioned issues. During the meeting, she indicated that the company has not yet begun any mineral extraction or aggregate processing activities. The company has also not yet installed either of the diesel-fired generators. Therefore, in accordance with the issued permits, the company should be maintaining daily records of any visible emissions from these emissions units and whether or not any dust suppressant has been needed. In order to resolve these violations, the company must either submit all past due deviation reports or submit a written verification that no records were kept to comply with the permit conditions by **June 26, 2008**.

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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 or call (419) 373-4111.

Sincerely,



Melanie Ray
Division of Air Pollution Control

/lb

pc: Don Waltermeyer, DAPC-NWDO
~~NWDO Sandusky County correspondence file~~
Tom Kalman, DAPC, CO
Lisa Holscher, USEPA, Region 5, Air and Radiation Division
Brian Riedmaier, DAPC-NWDO
NWDO follow-up file