



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

December 10, 2008

**CERTIFIED MAIL**

**7002 2410 0003 1155 8768**

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

Subject: Notice of Violations (NOV) and request for information regarding Area Rock, LLC (0372000243).

Dear Mr. Bischoff:

The purpose of this letter is to notify Area Rock, LLC (Area Rock) of recently documented reporting violations and to request information pertaining to facility operations. Area Rock was issued PTI 03-16087 on February 10, 2004, for emissions units F001 (mineral extraction) and F002 (unpaved roadways and parking areas) and PTI 03-16141 on August 12, 2004 for emissions units F003 (aggregate processing operations), F004 (storage piles) and P001-P002 (2-537 HP diesel fired generators). Third quarter 2008 deviation reports, as required by these permits were due by October 31 and a review of our records show that the company has not submitted these reports. This is a violation of the terms and conditions of the permits and ORC 3704.05.

Area Rock has previously received multiple notices of violations for the same issues, with the most recent resolution letter being issued on August 5, 2008. As part of the resolution, the company indicated that all personnel have been trained on the requirements of the permits and were familiarized with the recordkeeping and information to be maintained for the applicable emissions units. The Northwest District Office (NWDO) questions whether any training was actually implemented since the company has failed to submit the first quarterly deviation report required since the last NOV.

Mr. Tom Bischoff  
December 10, 2008  
Page 2

In order to resolve this violation, Area Rock must submit the 3<sup>rd</sup> quarter deviation report and daily inspection records for the roadways and storage piles no later than **December 31, 2008**. A compliance plan must also be submitted explaining how the company plans to ensure that all future records are maintained and deviation reports are submitted on time. This plan shall include the personnel to be responsible for both recordkeeping and report submittal. The compliance plan must also be submitted by **December 31, 2008**.

Area Rock was also issued a NOV by the Ohio EPA, Central Office on October 3, 2008 for failing to submit a Synthetic Minor Title V (SMTV) Fee Emissions Report for calendar year 2007. The NOV required the company to submit the report via the eBusiness Center: Air Services within thirty days, and to date, the report has yet to be submitted. The company should refer to this NOV and submit the required report immediately.

As mentioned above, Area Rock received two PTI's in 2004 for mineral extraction, aggregate processing and associated activities. During a facility inspection conducted on June 7, 2006 representatives from this office were told that an unpaved roadway was installed in April 2005 and that the company began establishing some storage piles on July 5, 2005. At that time, construction had not begun on the aggregate processing plant, no mineral extraction activities had occurred and neither generator had been installed.

As stated in the General Terms and Conditions of the permits (Part I, A.8), the permits shall terminate within eighteen months of the effective date of the PTI if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation. During the 2006 inspection, the company indicated its intentions to purchase equipment within 30-45 days. As such, the NWDO responded that since the company had begun installation for two of the emissions units, it would be allowed to exceed the eighteen months for the other two units.

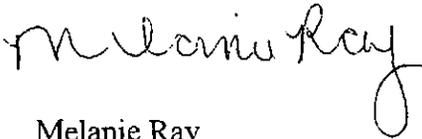
To our knowledge, no additional installations of the other emissions units have occurred since the roadways and storage piles. Unless the company can show otherwise, we consider the permits for mineral extraction (F001), aggregate processing (F003) and the generators (P001/P002) to be expired. If no response is received by **December 31, 2008**, these emissions units will be withdrawn from our database and the company will be required to resubmit permit applications for any future installation of these sources.

Mr. Tom Bischoff  
December 10, 2008  
Page 3

NWDO would also like an explanation of any future plans for Area Rock, whether or not any stock piles still exist with product being sold under the Area Rock name, and if the roadway established for this facility is currently being used for operations associated with Woodville Enterprise, LLC or Ground Level Inc.

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 this writer at (419) 373-4111 or email [melanie.ray@epa.state.oh.us](mailto:melanie.ray@epa.state.oh.us).

Sincerely,



Melanie Ray  
Division of Air Pollution Control

/csl

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

ec: Brian Riedmaier, DAPC-NWDO

7002 2410 0003 1155 8768

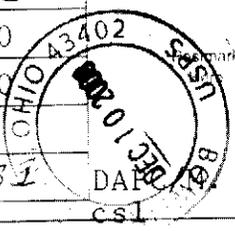
**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

MR TOM BISCHOFF PRES

Postage	\$ .42
Certified Fee	2.70
Registration Fee	2.20
<b>Total Fees</b>	<b>\$ 5.32</b>

DAI Ray/  
csl



WOODVILLE ENTERPRISE LLC  
875 EAST MAIN ST  
WOODVILLE OH 43469

PS Form 3808, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature x <i>M Barker</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>M BARKER</i></p> <p>C. Date of Delivery <i>12-11-08</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>MR TOM BISCHOFF PRES WOODVILLE ENTERPRISE LLC 875 EAST MAIN ST WOODVILLE OH 43469</p> <p>DAPC/M. Ray/csl</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7002 2410 0003 1155 8768</p>