



State of Ohio Environmental Protection Agency

Northwest District Office

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

July 23, 2009

Certified Mail 7009 1680 0002 4297 1578

Mr. Michael Klenda, Plant Production Manager
Carmeuse Lime, Inc. – Millersville Operation
3964 County Road 41
Millersville, Ohio 43435

Subject: Warning Letter - Need to conduct emissions testing for Kiln #2 (P006) and request for information regarding both Kiln #2 and Kiln #1 (P005) for Carmeuse Lime, Inc. – Millersville Operation (0372000081).

Dear Mr. Klenda:

Carmeuse conducted a stack test on March 31, 2009, for Kiln #1 (P005) to satisfy the annual testing requirement (required because the previous compliance test showed actual emissions of this major source exceeded 80% of the allowable limit) of Ohio EPA Engineering Guide #16. The results of this test showed the company was operating the kiln in violation of the Lime Manufacturing MACT, 40 CFR Part 63, Subpart AAAAA. A Notice of Violation (NOV) was issued for this emissions violation on May 28, 2009.

A letter received from the company on April 29, 2009, stated that, in lieu of continuing to operate the kiln out of compliance, it would be temporarily shut down while a team was assembled to review the test data and work toward a solution to return the kiln to compliance. Kiln #2 (P006), which had been shut down, was restarted.

At the time the NOV was issued, the company had scheduled a required compliance test for Kiln #2 on June 4, 2009. The company is subject to the same annual testing requirement for this kiln per Engineering Guide #16 because actual emissions exceeded 80% of the allowable limit when it was last tested on March 28, 2008. On May 28, 2009, we received a letter from the company postponing the test and indicating that, due to a lack of sales, the kiln was going to be shut down at the beginning of June for an indefinite time period.

However, during the month of June, the company reported two malfunctions (high stack opacity) indicating one or more of the kilns were being operated. Based on recent discussions with the company, it is our understanding that Kiln #2 was not shut down in June as stated in the letter and has not had any extended down time since it was restarted in April. Carmeuse's failure to conduct the compliance test is unacceptable.

An immediate stack test of Kiln #2 to demonstrate compliance with the MACT standard of 0.60 lb/ton of stone feed is necessary. Please submit the Intent-to-Test (ITT) for Kiln #2 as soon as possible. We will waive the 30-day notification requirement prior to the test as our schedule allows.

Mr. Michael Klenda
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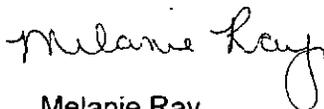
Although the company's Title V permit indicates both coal and coke are approved fuels for both kilns, recent failures to comply with the MACT limit have shown that the use of coke in both kilns must be restricted. This issue, along with multiple other matters applying to the compliance status of both kilns, was brought to the company's attention in the NOV issued on December 3, 2008. To date, the company has failed to respond to this NOV and provide the information we have requested.

The NOV issued on May 28, 2009, required the company to submit, at a minimum, an update on any findings discovered for kiln #1 and a timeframe for any future actions and retesting of the unit. This summary was to be submitted no later than June 30, 2009. Here again, the company has been unresponsive. The responses to the previous NOV's and this letter need to be submitted immediately.

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.

Please feel free to contact me with any comments and/or questions at 419.373.4111 or email melanie.ray@epa.state.oh.us.

Sincerely,



Melanie Ray
Division of Air Pollution Control

/cs

pc: Don Waltermeyer, DAPC-NWDO
Tom Kalman, DAPC-CO
Lisa Holscher, USEPA-Region V
~~DAPC-NWDO Sandusky County correspondence file~~
Follow-up File

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Mr. Michael K. Kende

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Carmel Lane - Milledgeville
3964 Co. Rd. 41
Milledgeville, Ohio 43435

PS Form 3800, August 2006 See Reverse for Instructions

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1. Article Addressed to:
Mr. Michael Kende
Carmel Lane
3964 Co. Rd. 41
Milledgeville, Ohio
43435

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