



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.state.oh.us

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

Re: Sandusky County
0372000081
Stack Test
HPV-GC8
Notice of Violation

May 28, 2009

CERTIFIED MAIL

Mr. Lindon Pierce, Regional Environmental Manager
Carmeuse Lime, Inc. Millersville Operation
1967 West County Road 42
Bettsville, Ohio 44815

Subject: Notice of Violation (NOV) based on March 31, 2009, stack test of emissions unit P005 at Carmeuse Lime, Inc. Millersville Operation (0372000081).

Dear Mr. Pierce:

In accordance with Ohio EPA engineering guide 16, Carmeuse Lime, Inc. Millersville Operation (Carmeuse) is required to conduct tests for particulate matter (PM) for its lime kilns (emissions units P005 and P006) on an annual basis. In order to comply with this requirement, Carmeuse performed a stack test for PM on Kiln #1 (P005) on March 31, 2009. Based upon our review of the test report, the testing was conducted in conformance with Ohio EPA methods and procedures. Our review also 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
PM	0.66 lb/ton stone feed	0.60 lb/ton stone feed	33.9 TPH	37 TPH
Condensable PM	< 1.25 lbs/hr	No established limit	33.9 TPH	37 TPH

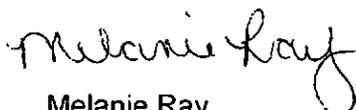
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The results of the test show that emissions unit P005 was being operated in violation of the Lime Manufacturing MACT, 40 CFR, Part 63, Subpart AAAAA, allowable emissions rate for PM. In an April 28, 2009, letter, the company stated that kiln #1 was shut down on April 3, 2009, due to a lack of business and the decision was made to keep it shut down after receiving the preliminary test results. Kiln #2, which was also shut down due to a lack of business, was instead restarted in late April so that kiln #1 could remain shut down and the company would not be operating the emissions unit out of compliance. Kiln #2 is scheduled for PM emissions testing on June 4, 2009, in order to fulfill the annual testing requirement of engineering guide 16. Carmeuse also mentioned in its April 28, 2009, letter that a team was being assembled to review stack test data and work on a solution for returning Kiln #1 to compliance. Once this team has met and determined a course of action, a written response must be submitted to the Northwest District Office outlining any findings and a plan of corrective action. If no conclusions have been made within one month of receiving this letter, the company must submit, at a minimum, a summary of any findings to date and outline a timeframe for future actions and retesting the unit. This information should be submitted no later than June 30, 2009. Carmeuse must also notify this office immediately if Kiln #1 is restarted at any time.

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

/llr

pc: Don Waltermeyer, DAPC-NWDO
Melanie Ray, DAPC-NWDO
Tom Kalman, DAPC-NWDO
Robert Teer, DAPC-NWDO
Tom Sattler, DAPC-NWDO
Lisa Holscher, US EPA
DAPC-NWDO file
Stack File
NWDO Follow-up File
Certified Receipt Number 7007 2560 0000 4485 6130

ec: Wendy Licht