



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

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

Premise #0374000010

May 24, 2007

**CERTIFIED MAIL**

Mr. Lindon Pierce  
Regional Environmental Manager  
Carmuse Lime, Inc. - Maple Grove Facility  
1967 County Road 42  
Bettsville, Ohio 44815

**Re: Notice of Violation (High Priority Facility) and request for information by  
June 29, 2007.**

Dear Mr. Pierce:

Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO) has made multiple written and verbal requests for the purpose of correcting several permit deficiencies at Carmeuse's Maple Grove facility. Specifically, our records indicate the following air emission sources require permits and/or permit modifications:

1. addition/modification of multiple material storage piles (F002);
2. the fugitive emissions from the "kiln drop box" and the "cooling tower drop out"; and
3. the additional baghouse (D188.2) that was installed on the kiln dust handling system (P905).

The table below summarizes the written requests for information that were made to the company and the corresponding dates that the information was due:

Date of Request	Details of Request	Due Date	Date Achieved
September 9, 2005	Submit Material Storage Piles (F002) and Kiln Dust Handling (P905) modifications.	December 31, 2005 (per Carmeuse Lime correspondence, dated October 14, 2005)	December 30, 2005

Date of Request	Details of Request	Due Date	Date Achieved
January 13, 2006	Resubmit PTI application #03-17090 for F002 to include entire emissions unit.	February 6, 2006	Not Achieved
	Arrange meeting to discuss possible modification to P905.	January 23, 2006	Not Achieved
August 2, 2006	Submit modification requests to address the LKD storage pile located near the LKD truck load-out, fugitive emissions from the "kiln drop box" and the "cooling tower drop out", and the addition of the baghouse (D188.2) that was added to the Kiln Dust Handling system (P905).	September 4, 2006	Not Achieved
October 27, 2006 (Warning Letter)	PTI #03-17090 returned for lack of response. Requested new applications to address all permitting deficiencies.	December 1, 2006	Not Achieved

Notice of Violation:

To date, Carmeuse Lime, Inc. has failed to provide NWDO with the above items in a timely manner. This Notice of Violation is being issued for failure to supply complete permit applications in order to properly permit the facility's air emission sources. This constitutes a violation of Ohio air pollution laws and rules, specifically Ohio Administrative Code (OAC) Rule 3745-31-02 and the requirements of the company's PTI #03-13527, issued April 21, 2003, and their Title V permit.

In order to resolve the permitting violations identified above, NWDO is requesting the company submit the necessary permit applications by **June 29, 2007**.

Annual Title V Compliance Certification:

In order to reflect the permitting deficiencies noted above, NWDO is also requesting that Carmeuse Lime, Inc. revise Section G of the Annual Title V Compliance Certification Report to indicate noncompliance with the affected sources. Unrelated to these violations, it will also be necessary for the company to either attach or summarize the Quarterly Deviation reports that were referred to in Section F (Intermittent Compliance Table). Please submit your corrected report by **June 29, 2007**.

Please be advised that 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 you have any questions, concerns or would like to discuss further what is being requested, please call me at (419) 373-3130.

Sincerely,

*Andrea M. Odendahl*  
 Andrea M. Odendahl  
 Division of Air Pollution Control

/l/r

pc: Don Waltermeyer, DAPC, NWDO  
 Tom Kalman, DAPC, CO  
 Lisa Holscher, USEPA  
 DAPC-NWDO File

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PS Form 3800, August 2006 See Reverse for Instructions

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<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>1. Address Agreement to:</p> <p><i>Mr. &amp; Mrs. S. E. Lince, LLC, Millersville, Ohio</i>  <i>167 W. County Rd 42, P.O. Box 708</i>  <i>Bethsville, Ohio 44815</i></p>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>[Signature]</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery</p> <p><i>[Signature]</i> <i>5/31/07</i></p> <p>D. Is delivery address different from item? <input type="checkbox"/> Yes <input type="checkbox"/> No              If YES, enter delivery address back of mailpiece.</p>
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