

**OhioEPA**  
State of Ohio Environmental Protection Agency

9/18

**Northwest District Office**

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

Re: Seneca County  
Maple Grove Materials, Inc.  
Premise # 0374020242  
**Notice of Violation/HPF**

August 21, 2009

CERTIFIED MAIL

Mr. Lynn Radabaugh, President  
Maple Grove Materials, Inc.  
P. O. Box 130  
Old Fort, Ohio 44861

Dear Mr. Radabaugh:

**Subject: Notice of Violation for Maple Grove Materials, Inc. 0374020242 P902**

This letter shall serve as follow-up to the inspection conducted on August 5, 2009, of the above referenced facility by this writer. The purpose of this inspection was to determine the compliance status of all air contaminant sources located there.

Based on our discussions, my observations during the inspection, and review of the company's files, my findings are as follows:

1. Maple Grove Materials (MGM) previously submitted applications to the Ohio EPA for the installation and modification of emissions unit P902 (applications #03-13600 and #03-17464). This asphalt plant was initially installed in March of 2002 and first operated in May of 2002. Although a permit to install/operate (PTIO) has not yet been issued, the applicant is required to comply with all applicable rules associated with the emissions unit. These include the requirements contained in 40 CFR Part 60, Subparts A and I.

These Subparts require that a performance test be conducted within 180 days of initial startup of this emissions unit. Subpart I requires that the owner or operator of the asphalt plant operate it in a manner such that particulate emissions do not exceed 0.040 gr/dscf.

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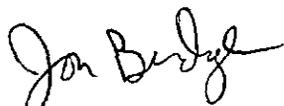
MGM has failed to conduct an emissions test to show compliance with this requirement within the 180 day time frame.

2. Visible emissions of fugitive dust were observed in excess of 50% opacity from an auger on the baghouse dust bins used to drop baghouse dust fines into an open bed truck. The Ohio EPA DAPC estimates that the installation and operation of the emissions unit in this manner results in potential particulate emissions in excess of 10 tons per year and is contrary to the information supplied in the company's application. As such, this emissions unit is subject to best available technology (BAT) requirements of OAC rule 3745-31-05. The use of this baghouse dust unloading system does not meet the BAT requirement of visible emissions not exceeding 10% opacity, as a 3-minute average. This is a violation of OAC Rule 3745-31-05(A)(3).

The above violations need to be corrected as expeditiously as possible. The company is required to submit a detailed compliance plan and associated time schedule for correcting these violations. It must also submit a revised PTIO application that addresses the fugitive emissions associated with a baghouse dust unloading system that employs BAT. Please submit this information by September 18, 2009.

The submission of this information does not constitute waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline such penalties regarding this matter at a later date. Should you have any questions and/or comments, feel free to contact this office at the above address or call me at:(419) 373-3112 or e-mail me at [jon.budge@epa.state.oh.us](mailto:jon.budge@epa.state.oh.us)

Sincerely,



Jon Budge  
Division of Air Pollution Control

//lr

pc: DAPC-NWDO File  
NWDO follow up file  
Don Waltermeyer, NWDO, DAPC  
Tom Kalman, DAPC, CO  
Lisa Holscher, USEPA  
Certified Receipt Number 7009 1680 0002 4297 0816