



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.ohio.gov

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

Re: Seneca County  
Premise #0374020222  
MGQ Aggregates, Inc.  
Stack Test  
**Notice of Violation**

December 1, 2009

CERTIFIED MAIL  
7007 2560 0000 4485 5393

Lynn Radabaugh, President  
MGQ Aggregates, Inc.  
P.O. Box 130  
Old Fort, Ohio 44861

Dear Mr. Radabaugh:

The stack test conducted on September 17, 2009, on Ohio EPA emissions unit No. P901 (Limestone Dryer), has been reviewed. The testing was conducted in conformance with Ohio EPA methods and procedures. Our review 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 <sub>10</sub>	171.7 mg/dscfm	5.0 mg/dscfm	38.55 TPH	100 TPH

1. The emissions unit was being operated in violation of its allowable emissions rate for PM<sub>10</sub>. This is a violation of Permit to Install and Operate (PTIO) #P0104315 issued 01/09/09 [term and condition (C)(4)(b)(1)(b)], OAC rule 3745-31-05(A)(3) and Ohio Revised Code (ORC) 3704.05. Also, the emissions unit was only being operated at 38.55% of its maximum operating rate. The Ohio EPA cannot accept compliance testing at less than the maximum source operating rate. For these reasons, it will be necessary to retest this unit.
2. The emission unit was also being operated in violation of the 0% opacity limitation in the PTIO. Method 9 observations conducted during the testing by Air Compliance Testing, Inc. and Ohio EPA, Division of Air Pollution Control (DAPC) personnel showed opacities of 5%. This is a violation of the opacity limitation in the permit and ORC 3704.05.



3. The company provided Northwest District Office (NWDO) with the results of a prior engineering test on emissions from the dryer that was conducted on September 11, 2009. The testing consisted of two runs and Method 9 opacity observations. The results of these tests showed an average particulate emission rate of 46.1 lbs/hr and average opacities of 5%. Here again, both exceed the permitted allowable emission/opacity rates.

NWDO is aware that several bags were changed in the control equipment for this unit following the engineering test, but before the compliance demonstration testing. The company has maintained the position that replacing broken bags was routine maintenance and did not anticipate any emission violations during the compliance testing. The company is required to provide NWDO with any additional measures that have been taken since the compliance testing date in order to minimize emissions from this source.

The company is currently preparing a new application to completely re-permit the dried fines plant. The application will include a request for an increase in the allowable emission rates for P901. We are in agreement that the permit needs to be administratively modified due to incomplete/faulty information in the original application. Following the issuance of the new permit, the company will be required to conduct emissions testing in order to demonstrate compliance with the revised limits in the new permit.

The company is also aware that the installation of a crusher to the material handling operations resulted in a portion of the processes becoming subject to the requirements of 40 CFR Part 60, Subpart OOO. Be advised, this subpart contains emissions testing requirements that will apply to the facility, including visible emission observations, where necessary, and stack testing for the processes controlled by a baghouse (i.e. transfer point on belt conveyors vented to a baghouse). Regardless of the date when the new permit is issued, this subpart specifies a timeframe in which the company is required to meet the testing requirements. From previous correspondence with the company, the installation of the crusher was on July 6, 2009, and therefore, that is the first day of NSPS OOO applicability.

This office is requesting that the facility submit a written response to this letter which includes, at a minimum, a compliance plan and schedule for emissions testing. The facility is required to submit this information by no later than December 18, 2009. 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.

Lynn Radabaugh  
 December 1, 2009  
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You may contact me at (419) 373-3110, should you have any questions or comments regarding this letter.

Sincerely,



Brian Riedmaier  
 Division of Air Pollution Control

/csl

- pc: Don Waltermeyer, DAPC-NWDO  
 Tom Kalman, DAPC-NWDO  
 Robert Teer, DAPC-NWDO  
 Tom Sattler, DAPC-NWDO  
 Lisa Holscher, US EPA  
 DAPC-NWDO file  
 Stack File  
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LYNN RADABAUGH, PRESIDENT

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DEC 4 2009  
 DAPC/Brian R.

MGQ AGGREGATES INC  
 PO BOX 130  
 OLD FORT OH 44861

PS Form 3800, August 2006 See Reverse for Instructions

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<p>1. Article Addressed to:</p> <p>LYNN RADABAUGH PRES          MGQ AGGREGATES INC          PO BOX 130          OLD FORT OH 44861</p> <p>DAPC/Brian R./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>

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