



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Wood County
M&R Redi-Mix
Stony Ridge, OH 43463
Dust complaint
Notice of Violation letter

July 19, 2011

Mr. Kurt Nofziger, President
M&R Redi-Mix
5601 Cherry Street
Stony Ridge, Ohio 43463

Dear Mr. Nofziger:

This letter shall serve as a follow-up to the dust complaint that was received by the Northwest District Office (NWDO) Division of Air Pollution Control (DAPC) on July 7. This complaint was investigated on the same day.

As you are aware, I met with Mr. Ryan Saunders who is the Sales and QC Manager of the site. Information was requested during the investigation that was later provided by e-mail on July 15. This data has been reviewed and will be discussed further in this letter.

The issue is whether the facility is causing or contributing to a dust complaint. The complaint is considered justified based on the findings of the investigation. After having seen the ready-mix in operation, there does appear to be fugitive emissions significant in nature from the facility roadways. The truck mix concrete batch plant (identified as emissions unit P901) was also witnessed in operation during this investigation. It did not appear to be a source of significant emissions. The control equipment associated with P901 appeared to be functioning properly and controlling dust emissions.

M&R Redi-Mix was issued a Permit to Install (PTI) #03-17098 on February 23, 2006. A Permit to Install and Operate (PTIO) was issued on February 5, 2010, to supersede the terms and conditions of the PTI. Based on the PTIO, the facility is restricted to no visible particulate emissions of more than three minutes during any sixty minute observation period from the unpaved roadways. The determination that the complaint is justified is based on a visible fugitive emission inspection taken after the investigation concluded of the unpaved roadways. The observation began at 2:02 p.m. and concluded at 2:09 p.m. The observation point was of the unpaved roadway leading into the batch plant. During only six minutes and thirty seven seconds of observation, there was an accumulated emission time of three minutes and four seconds. M&R Redi-Mix is therefore in violation of maintaining compliance with the Best Available Technology (BAT) emission limitation of no visible emissions exceeding three minutes during any sixty minute observation period. This is also a violation of Ohio Revised Code (ORC) 3704.05.

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In regards to the July 15 information submitted via e-mail, there is a document regarding the night pours at this facility. At the bottom of the document, it is stated that the facility uses the advance mixers to water the driveway as each mixer can hold approximately 1500 gallons. It was not apparent during the inspection that this was a feasible option. The facility is required to properly maintain monitoring and recordkeeping requirements as detailed in the PTIO for both the paved and unpaved roadways. These records must be available documenting when control measures were implemented. M&R Redi-Mix is in violation of not maintaining this data as required in the PTIO Monitoring & Recordkeeping Requirements section. This is also a violation of ORC 3704.05. The following information will be necessary for the remaining days in July, full months of August, September and October to be submitted to my attention:

- 1- Monthly report submitted via e-mail or regular mail no later than one week after the end of the month that includes the days the control measure was implemented;
- 2- Identify the type of control measure implemented; and
- 3- Identify the date, time and duration that the control measure was implemented.

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 or comments regarding this letter, please feel to contact me at mohammad.smidi@epa.state.oh.us or by phone at (419) 373-3118.

Sincerely,



Mohammad Smidi
Environmental Specialist
DAPC-NWDO

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pc: ~~DAPC-NWDO Facility File~~

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