



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
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: Wood County
Stansley Mineral Resources
750 Glenwood Road
Rossford, OH 43460
Premise #0387010429

Notice of Violation

June 27, 2007

CERTIFIED MAIL

Mr. Chip Tokar
Vice President Special Projects
Stansley Mineral Resources
7880 W. Central Avenue
Toledo, Ohio 43617

Dear Mr. Tokar:

This letter shall serve as follow-up to the inspection conducted at the above-referenced facility on June 20, 2007. The reason for the inspection was to determine the compliance status of the emission units that are operating at your facility. The inspection was conducted by Mr. Thomas Cikotte and myself from the Northwest District Office (NWDO) Division of Air Pollution Control (DAPC).

Based on the discussions with you, the observations during the inspection and a review of the company records, the findings of the inspection are as follows:

1. The facility is operating a soil unloading operation and has so for the past two years. The facility hauls in concrete, brick, and hard fill by way of trucks. It estimates that this operation will last another five years.

Lacking any information pursuant to the provisions of Ohio Administrative Code (OAC) rule 3745-15-05, the facility is in violation of installing an air contaminant source (roadways and parking areas) without obtaining a Permit to Install (PTI) pursuant to OAC rule 3745-31-02. The facility is also in violation of operating an air contaminant source without applying for a Permit to Operate (PTO) pursuant to OAC rule 3745-35-02. These are violations of Ohio Revised Code (ORC) rule 3704.05 as well.

2. The facility is either required to submit a PTI and PTO application with the appropriate Emissions Activity Category (EAC) form to NWDO to the attention of Mr. Don Waltermeyer or provide the appropriate information to show that these operations are exempt from permitting requirements. The applications and forms can be obtained via Ohio EPA's website at <http://www.epa.state.oh.us/dapc/permits/permits.html>. The facility is required to submit these applications by no later than August 3, 2007.
3. The facility stated that a fugitive dust plan exists for the roadways and parking areas. In that plan, it states that the facility's strategy is to prevent fugitive dust by not allowing mud/dirt from being tracked off of its property. However, there was fugitive dust emissions on Glenwood Road observed during the inspection that we believe are caused by trucks exiting the facility. This matter will need to be addressed immediately so that no violations of visible emissions that may be established under OAC rule 3745-31-05(A)(3) are caused.

Please be advised that the submission of the requested information to respond to this letter does not constitute waiver of the 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 to pursue such penalties regarding this matter at a later date.

If you have any questions and/or concerns, please contact me at (419) 373-3118.

Sincerely,



Mohammad Smidi
Environmental Specialist
Division of Air Pollution Control

/llr

ec: Chip Tokar, Stansley Mineral Resources
Elisa Thomas, DAPC-CO
Jim Konopinski, Wood County Health Department
Kimberly Burnham, DSIWM-NWDO
Thomas Cikotte, DAPC-NWDO
pc: Don Waltermeyer, DAPC-NWDO
Lisa Holscher, U.S. EPA Region V
Tom Kalman, DAPC-CO
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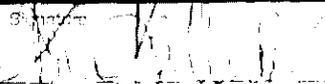
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1. Article Addressed to:
 MR. O.N.A. TOLIK
 Vice President - Special Projects
 Stanley Mineral Resources
 7880 W. Central Avenue
 Toledo, Ohio 43017

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