



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

October 17, 2008

Mr. Dan Mapes, Director of Administrative Services
National Lime and Stone Company
1331 Broad Avenue
Suite 100
Findlay, Ohio 45840

Re: Notice of Resolution (NOR) for National Lime and Stone (0388000004) based on September 3, 2008, response to inspection Notice of Violation (NOV) dated August 8, 2008.

Dear Mr. Mapes:

On September 4, 2008, Ohio EPA received National Lime and Stone's (National) response to the Notice of Violation (NOV) that was sent as a result of a June 19, 2008, inspection of the facility. The NOV stated that National failed to properly report pressure drop deviations for the dried stone plant crushing, screening and material handling, emission unit P905. Ohio EPA also cited National for failing to submit deviation and annual reports for the 1500 tph aggregate processing plant, emission unit F015.

National's response addressed all of the issues raised in the inspection letter: The company acknowledged the pressure drop gauge malfunction, but also pointed out that the scrubber amperes were within the required parametric monitoring range during that same time period. National attended to this issue further by submitting revised report summaries for P905 and P904 (since it shares the same control equipment) to account for days that were previously missed in past quarterly reports. As for F015, the company attributed the failure to submit reports on a paperwork error and maintains that daily visible emission checks were performed on the emissions unit with no deviations noted.

Based on the information National provided to address the recordkeeping deficiencies noted during the inspection, including a revised 2007 annual compliance certification, we have determined that the compliance plan is acceptable. The actions taken by National have corrected the violations and the emissions units are now being operated in compliance with the permit requirements. Please note, however, that this does not preclude the Director from seeking civil penalties pursuant to ORC section 3704.06 for these violations. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements.

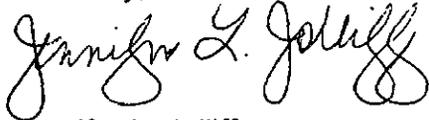
Mr. Dan Mapes, Director of Administrative Services

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Should you have any questions or comments concerning this letter, please feel free to contact me at (419) 373-4112 or electronically at jennifer.jolliff@epa.state.oh.us.

Sincerely,



Jennifer L. Jolliff

Division of Air Pollution Control

JLJ/lr

pc: Don Waltermeyer, DAPC-NWDO

Tom Kalman, DAPC-CO

John Paulian, DAPC-CO

Lisa Holscher, US, EPA

~~CDAPC-NWDO File~~