



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

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www.epa.state.oh.us

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

October 22, 2009

CERTIFIED MAIL

7009 0820 0000 0591 9761

Mr. Austin Walter, Plant Manager
New Eezy Gro Inc.
5123 State Route 103 West
Sycamore, Ohio 44882

RE: Notice of Violation (NOV/non-HPV) - Complaint investigation and facility inspection conducted on October 13, 2009 at New Eezy Gro Inc., with response due by November November 19, 2009.

Dear Mr. Walter:

This letter shall serve as a follow-up to the complaint investigation and subsequent inspection of the above-referenced facility conducted on October 13, 2009. On September 21, 2009, the Ohio Environmental Protection Agency's (Ohio EPA) Northwest District Office (NWDO), Division of Air Pollution Control (DAPC) received a complaint regarding odors. These odors have been described as moldy or chemical-like. The complainant stated that there was some "grow" place out on St Rt 103 which prompted my visit. It should be noted that no odors matching the complainant's description were detected.

Based on our discussion, and my observations during the inspection, my findings are as follows:

1. New Eezy Gro, Inc., produces calcium nitrate for the fertilizer industry. Water is added to agricultural lime to form a slurry that is sent to one of two mixers where nitric acid is added. The reaction that takes places causes the formation of calcium nitrate. The liquid is further processed through a filter press where the solids are removed. Liquid totes are filled for shipment once the calcium nitrate is purified while the leftover solids are spread out on local fields.
2. This facility was installed in 1989. The Division of Air Pollution Control has no record of an application for a permit to install and/or operate being submitted for the unpaved roadways, storage piles, oxide storage silos or fertilizer mixing operation at this facility. Installation of these emissions units without first obtaining a permit to install or a permit to operate is a violation of Ohio Administrative Code (OAC) rules 3745-31-02(A), 3745-35-02 and Ohio Revised Code (ORC) 3704.05.
3. A written response to this letter is requested by November 19, 2009. It should be submitted to Ohio EPA, NWDO and should include complete PTIO applications, including all applicable emissions activity category (EAC) forms, emissions calculations and process flow diagrams for the unpaved roadways, storage piles, storage silos and fertilizer mixing.



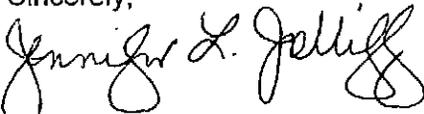
Austin Walter
October 21, 2009
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Please note that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

Our agency's Office of Compliance Assistance and Pollution Prevention (OCAPP) is available to any qualifying small business to assist in achieving and maintaining compliance with Ohio's environmental regulatory programs. More information pertaining to OCAPP is also available on our website at <http://www.epa.ohio.gov/Default.aspx?alias=www.epa.ohio.gov/ocapp>. I have also included a brochure from OCAPP presenting their services. Should you choose to contact OCAPP for assistance with issues pertaining to this letter, please contact Ron Nabors at (419) 373-3147. Also, should you contact OCAPP for assistance, please inform our office so that a new deadline for application submission can be determined.

Thank you, again, for accommodating my unannounced visit. If the company has any questions and/or comments concerning this letter, please contact me at the above address, by calling 419.373.4112, or electronically at jennifer.jolliff@epa.state.oh.us.

Sincerely,



Jennifer L. Jolliff
Division of Air Pollution Control

/csl

Enclosure

pc: Don Waltermeyer, NWDO, DAPC
Tom Kalman, CO, DAPC
Lisa Holscher, U.S. EPA Region V
NWDO DAPC file

ec: Jennifer Jolliff, NWDO, DAPC
Ron Nabors, NWDO, OCAPP

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1. Article Addressed to:

MR AUSTIN WALTER PFI MGR
 NEW EEZY GRO INC
 5123 STATE ROUTE 103 W
 SYCAMORE OH 44882

DAPC/Jolliff/csl

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 * *[Signature]* Addressee

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AUSTIN WALTER *10-23-04*

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TO: NEW EEZY GRO INC
 5123 ST RT 103 W
 SYCAMORE OH 44882