

**Environmental
Protection Agency**

_____, Governor
_____, Lt. Governor
_____, Director

July 19, 2010

RE: CITY STONE
NPDES PERMIT NO. 31J00067
2011 COMPLIANCE EVALUATION

Mr. John Annichinni
P.O. Box 3167.
Youngstown, OH 44513

Mr. Annichinni:

On July 16, 2010, this writer met with you and Del Jones to conduct an inspection of the City Stone quarry. Rock material was being trucked off-site at the time of the inspection.

During the inspection we discussed the storage of lime sludge within the quarry. Concerns with the lime sludge are as follows.

1. The sludge was not being stored as stated in a March 2010 plan submitted to this office. The plan identified two wet lime storage areas, a 1,250 yd³ storage area, and three 7,500 yd³ dry lime storage areas. At the time of the inspection, the northeast storage area was much larger than proposed in the plan. The lime sludge was never removed from a cut located on the north side of the property for consolidation in one of the two wet storage areas. You indicated that within two weeks, the lime sludge located in the north cut would be re-located within one of the two wet storage areas.
2. Only two small piles of lime sludge were located in the area identified for dry lime sludge storage. You indicated that the dried sludge was to be used in a spreader test to see if the material can be easily land applied. It was the understanding of this writer that the spreader test was to occur sometime in July 2010.
3. No lime sludge was being stored on the drying bed area identified in the site plan as being located on the south side of the quarry. At the time of the inspection, the procedures used to dry and store the sludge were quite different from the proposed plan. It appeared from your description that the lime sludge was being dried in-place in the wet sludge storage areas rather than being transported to the drying bed. If and when the material is to be used for agronomic purposes, you indicated that dried sludge would be removed directly from the wet sludge storage areas to prevent handling the material twice. Be advised that the plan must be either adhered to as proposed or modified. The plan can be modified to identify the proposed drying area as an alternative to be used if necessary, and a note stating that sludge will also be dried in the wet storage areas.
4. During the inspection, we discussed the amount of material that has been removed from the 37,491 wet tons of the sludge taken into the site in 2007-2008. It was the understanding of this writer that approximately 6000 tons were hauled to Youngstown State University for a landscape project. Be advised that the original plan approved by the Central Office of Ohio EPA for beneficial re-use of the lime sludge specified that the sludge will be used for agronomic benefits. The use of the sludge for any other purposes, such as grade adjustment, is considered a violation of the original plan approval. Aside from the 6000 tons taken to Youngstown State University, it is the understanding of this writer that no other sludge had been taken off-site. Please update this writer in the event this understanding is incorrect.

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5. As we discussed, Mr. Jones will contact the Dept. of Agriculture to determine if a liming permit is required for the land application of the lime sludge. Please keep this writer informed as to the final decision by the Dept. of Agriculture regarding the liming permit.
6. During the meeting we discussed the need for an estimation of the time required to transport the lime sludge for agronomic application. We discussed that an estimate would be provided once the results of the spreader test are known and calculations can be provided based on the average liming capabilities of the sludge and the average liming needs of farms field.

The plan must be modified to include the estimated period that the lime sludge will remain in the quarry prior to land application. In the event the time estimate becomes outdated in the future, the plan may be modified based on necessary and reasonable adjustment. A revised sludge management plan with a reasonable estimate to completely land apply all of the sludge should be provided to this office no later than August 31, 2010.

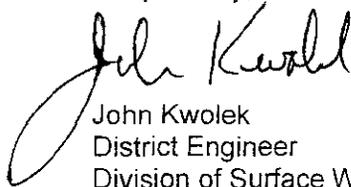
A compliance review of the monthly effluent reports for City Stone was completed for the period covering June 2009 through June 2010. Following are violations identified in the Ohio EPA compliance tracking system.

Reporting Period	Parameter	Limit Type	Limit	Reported Value	Violation Date
May 2010	Total Suspended Solids	30-Day Conc.	30	31.	5/1/2010
May 2010	Total Suspended Solids	1-Day Conc.	45	70.5	5/10/2010

The violations noted above constitute violations of Revised Code (R.E.) 6111.07. An explanation of the possible causes for the violations was provided in a June 8, 2010 letter from Mr. Del Jones.

You may contact this writer at (330) 963-1251 to discuss any questions you may have. Please keep this writer informed of the results of the spreader test and make all revisions identified above to the lime sludge storage plan.

Respectfully,



John Kwolek
District Engineer
Division of Surface Water

JK/mt

cc: Del Jones, Technical Land Consultants
Mary Helen Smith, Mahoning County Department of Health