



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: Crawford County
Shelly Materials Plant #89
Industrial
Storm Water

September 15, 2009

Ms. Beth Mowrey
Shelly Materials
P.O. Box 266
Thornville, Ohio 43076

Dear Ms. Mowrey:

On August 24, 2009, Walter Ariss and I inspected Shelly Materials Plant #89. The purpose of our visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with industrial activity, Facility ID No. 2GR00483. The facility address is listed on the permit application as 4580 Bethel Road, Bucyrus, however, it is located on the south side of Spore-Brandywine Road, west of Bethel Road in Holmes Township. The facility is located on land owned by National Lime and Stone. Photos were taken. Max Neinberg, Plant Operator, was present to provide information. As a result of the inspection, I have the following comments:

1. The facility is a hot mix asphalt plant. NPDES permit coverage was granted September 26, 2006. The plant has not run since last year, but typically operates 2 weeks per year.

Manufacturing equipment (mixing drum, conveyers, asphalt silo, asphalt releasing agent station) is located outside as well as most material storage. Industrial activities with potential exposure of pollutants to storm water include: the material stockpiles; material loading and unloading activities at the cold feed and recycled asphalt pavement bins, at the truck load-out area; the asphalt releasing agent station, and the filling of the asphalt, used oil and diesel storage tanks. The used oil and diesel tanks are pumped out at the end of the year. The oil tanks had stone berms as secondary containment. According to Mr. Neinberg, a plastic liner is under the stone. An anti-freeze, a hydraulic oil, and a used oil drum were stored outside and were either open or had operational valves.

2. A Storm Water Pollution Prevention Plan (SWP3) was available onsite and dated September 30, 2008. It was not signed, *which is a violation of Part IV.B.1. of the permit.* The document did list the Pollution Prevention Team, the material inventory, and contain a site map. However, the site map did not show the locations of the asphalt millings and aggregate stockpiles owned by Shelly. The site map must be updated to include this information. *The missing details are a violation of Part IV.D.2.a. of the permit.*

A Spill Prevention Control and Counter Measure Plan (SPCC), signed in 2001, was onsite but it was labeled for the United Asphalt Plant 3 (Thornville, Ohio). Please insure that this document has been revised and updated for this specific site.

Ms. Beth Mowrey
September 15, 2009
Page Two

The NPDES permit requires that the SWP3 describe and insure implementation of storm water controls. These controls must address several different components of facility operations that are listed in the permit. Storm water control implementation issues were noted for the following facility operations:

3. Inspections – The SWP3 shall identify qualified personnel to inspect designated equipment and areas and specify inspection frequency. Tracking or follow-up procedures shall be used. Inspections shall be documented and records shall be maintained.

The SWP3 stated the plant superintendent was to conduct daily inspections. No inspection logs were available. *Failure to document inspections is a violation of Part IV.D.3.d. of the permit.*

4. Employee Training – Training programs shall inform personnel at all levels of the components and goals of the SWP3. Training should address topics such as spill response, good housekeeping and material management practices. The SWP3 shall identify periodic dates for such training. Shelly's training records were limited to names. No information on training dates or topics was available. A copy of this information must be maintained onsite with the SWP3. *Failure to adequately document training is a violation of Part IV.D.3.e of the permit.*
5. Good Housekeeping - This item requires controls that result in the maintenance of a clean, orderly facility. *Please see Part IV. D.3.a. of the permit.* The hydraulic oil drum had a slow drip with some material evident on the lid. A used oil drum was left open with a funnel attached and a bottle laying on its side on the drum's lid. Staining was evident on the ground below the used oil tank. Although this was inside the secondary containment berm, leaving this type of spillage in place will likely mean any accumulated water must be pumped and hauled away.

Within 30 days of the date on this letter, please submit to this office **written notification** as to the actions taken or proposed to address the compliance issues noted in Items 2 through 5. Your response should include the dates, either actual or proposed, for the completion of the actions. It must also include a written certification that the requested changes to the SWP3 have been made. If there are any questions, please contact me at (419) 373-3009.

Sincerely,



Lynette M. Hablitzel, P.E.
Division of Surface Water
Storm Water Section

/lb

pc:  NWDO.File