



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

March 4, 2011

RE: Washington County  
Facility ID: 0684000145  
Shelly: Price Inland Terminal  
**Notice of Violation/PTIO  
P0106032 Application Return**

**Certified: 70101060000178961849**

Mr. Rudy Pennock  
Operations Manager  
Price Inland Terminal  
3059 Washington Blvd.  
Belpre, Ohio 45714

**SUBJECT: Complaint Investigation and Site Visit conducted February 14, 2011**

Dear Mr. Pennock:

On February 11, 2011, I received a complaint from a neighbor of Price Inland Terminal concerning the excessive amount of drag-out from the facility in the past week. On February 14, 2011, I visited your site to investigate the complaint and to assess the compliance status of several other emissions units that have had compliance issues in the past for which compliance plans and schedules were submitted by Shelly Company. The following issues and violations were noted at the time of my site visit:

**P901- Pebble Lime Unloading and Storage Facilities (Crane, Hopper, Conveyor, and Storage Silos)**

While on-site, I noted that visible emissions were seen from the stack of the baghouse controlling the truck loading activities in the silos. The emissions of dust were visible while a truck was in the loading booth and the baghouse was pulsing. The Permit to Operate issued on December 20, 1991 to Price Inland Terminal for P901 states that the baghouse controlling truck loading emissions must achieve an outlet grain loading of 0.030 grains/dscf of exhaust gases or no visible emissions from the exhaust stack, whichever is less stringent. Visible emissions from a source with a no visible emission limitation may be a violation of your permit terms and conditions and Ohio Administrative Code (OAC) rule 3745-31-02.

You stated that your site foreman inspects the bags weekly for broken bags. Please provide any documentation you have of inspections and the date of the last inspection conducted on the baghouse prior to my inspection.

In addition, to date I have not received a malfunction report for this incident. Failure to report malfunction in accordance with OAC rule 3745-15-06 is a violation of state law and your permit. Please determine the number of days that your equipment was malfunctioning and submit the malfunction report as required in OAC rule 3745-15-06.

### **F002 – Storage Piles of Aggregate, Coal, Coke, and Ferro-chrome and Ferro-manganese**

While on site, I conducted a Method 22 on the conveyor load-in to the coal storage piles located on the west side of your facility (see attached form with diagram). The reading was 1 min and 10 seconds of visible emissions in a 10-minute observation period. The Method 22 indicates that you are out of compliance with the visible emission limitation of “no visible PE except for one minute during any 60-minute period” established as Best Available Technology (Ohio Administrative Code (OAC) rule 3745-35-05(A)(3)) in PTI 06-08148 issued on July 6, 2006. The majority of the coal dust was seen when gusts of wind moved across the coal areas. Issues with these piles, including the site’s location and reluctance to water due to your customers needs, were discussed at the exit meeting. You stated that you would be looking into the possibility of installing wind breaks. During our discussion, you indicated that your customers do not want the coal to be watered as this makes the coal difficult to burn in the boilers at their facilities. You also stated that they wished to have the coal placed under roof but indicated such a project was financially unfeasible.

Please provide this office with a compliance plan and schedule to bring this emissions unit back into compliance. Your compliance plan and schedule should include a discussion of the feasibility of installing wind breaks.

It is noted that the EAC forms included in your application for a General Permit for the stockpiles states that you will use water as necessary; however, if customers do not wish to have the coal treated with water and Price Inland Terminal is unwilling to water in order to stay within the visible emissions BAT determination, alternative methods of achieving compliance will need to be researched and proposed. Therefore, this office is returning the general permit application for the stockpiles as technically incomplete. Please resubmit the application to adequately address the control methods Price Inland Terminal will employ to satisfy Best Available Technology.

### **Dragout onto State Route 618**

While on site, we discussed the method for removing dragout from State Route 618. As noted, freezing temperatures the week preceding my site visit eliminated the normal method of removal, i.e., washing the state route with the water truck. We discussed what could be done during freezing weather conditions. You stated that you would look into the possibility of purchasing a brush attachment for the facility’s front end loader.

Mr. Rudy Pennock  
Price Inland Terminal  
March 4, 2011  
Page 3

Please provide the above requested compliance plan and schedule to this office by March 30, 2011. Acceptance by the Ohio EPA of the above requested compliance plan and schedule does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or decline to pursue such penalties in this case will be made by the Ohio EPA at a later date.

If you have any questions or comments regarding the content of this letter, please feel free to contact me at 740-380-5299 or at [michael.carper@epa.state.oh.us](mailto:michael.carper@epa.state.oh.us).

Sincerely,



Michael Carper  
Environmental Specialist II  
Division of Air Pollution Control

MC/mlm

Enclosure

cc: Tom Kalman, DAPC-CO  
William MacDowell, U.S. EPA Region 5  
Bruce Weinberg, DAPC-SEDO  
Beth Mowery, The Shelly Company

**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
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April 14, 2011

RE: Washington County  
Facility ID: 0684000145  
Shelly Price Inland Terminal  
Compliance Plan Rejection

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

**RE: March 22, 2011 NOV Response/Compliance Plan Letter**

Dear Ms. Mowrey:

I am writing to address the response letter you submitted as a result of receiving Ohio EPA's March 4, 2011 Notice of Violation.

**P901 – Pebble Lime Unloading and Storage Facilities**

The permit to operate issued on December 20, 1991 to Price Inland Terminal for P901 states that the baghouse controlling truck loading emissions must achieve an outlet grain loading of 0.030 grain/dscf of exhaust gases or no visible emissions from the exhaust stack, whichever is less stringent. As stated in the March 4, 2011 Notice of Violation, on February 14, 2011, I observed the presence of visible particulate emissions from the baghouse exhaust stack. On the same day I observed the presence of visible particulate emissions from the baghouse exhaust stack, you informed me that the baghouse was found to have two torn bags. As such, P901 was in violation of its particulate emission limitation and the facility failed to notify the Agency of the malfunction of P901, in violation of OAC rule 3745-15-06(B). You state in your March 22, 2011 letter that no one at the facility noted visible emission from the P901 baghouse the day that I visited and observed visible emissions. While your statement may be true, it is not relevant to addressing the documented emission violation or to ensuring that P901 achieves and maintains compliance with the required permit provisions. If the facility does not want to comply with the visible particulate emission limitation, then please contact us so we can work with you to promptly schedule emission tests to demonstrate compliance with the alternate grain loading emission limitation. As a part of this compliance approach, we will need to document information about the baghouse and correlate the tested grain loading emission rate to the visible particulate emissions generated during the emission tests. If the facility does not want to demonstrate compliance with the particulate emission limitation through regularly scheduled emission tests, the facility may want to consider the use of broken bag detectors on the P901 baghouse to ensure ongoing compliance with the visible particulate provision of the limitation given that no one at the facility noticed visible particulate emissions that may have been caused, in part, by the undetected bag failures.

Ms. Beth Mowrey  
The Shelly Co.  
April 14, 2011  
Page 2

## **F002- Storage Piles**

As I discussed with you on March 16, 2011, and as indicated on the copy of the Method 22 form I provided, the non-compliant visible particulate emissions were observed approximately three feet east of the conveyor belt transfer point in question, not from observing chunks of coal at the transfer point as you stated, without merit, in your letter. Again, you state in your March 22, 2011 letter that no one at the facility noted visible particulate emissions from the conveyor belt transfer point. Again, while your statement may be true, it is not relevant to addressing the documented emission violation or to ensuring that F002 achieves and maintains compliance with the required permit provisions.

Your March 22, 2011 compliance plan, as submitted, is not acceptable to Ohio EPA. Stating that no facility personnel noticed the non-compliant visible particulate emissions from the baghouse stack serving P901 and F002's conveyor belt transfer point does not address the corrective actions the facility should utilize to ensure that the problems that caused the documented violations will not reoccur. Restating that the facility will use the control measures that should have been in use and that were already required by PTI 06-08148 when the violations were documented, does little to allay our concerns about the facility problems that continue to cause permit violations and that have generated citizen complaints.

In addition, recommitting to Ohio EPA to use control measures that the facility personnel are told not to use is disingenuous. On several occasions when I have asked the facility's operations manager why water was not being used to control observed excessive fugitive dust emissions from F002's coal piles, he explained that they needed to keep the moisture content in the coal piles minimized to satisfy customer needs. If water cannot be used as a coal pile control measure then the facility needs to specify an alternate control measure or combination of measures (i.e., the use of wind breaks, totally enclose the coal pile, use chemical dust suppressants, etc.) and amend the facility's permit(s) and/or application(s). Because the general permit application for the stockpiles specified water as the only BAT control measure for the coal piles that the facility cannot or will not use due to customer concerns, the application was returned as technically incomplete.

If you have any questions regarding this matter, please contact me.

Sincerely,



Michael Carper  
Environmental Specialist II  
Division of Air Pollution Control

MC/mlm

cc: Tom Kalman, CO/DAPC  
William MacDowell, U.S. EPA/Region V  
Bruce Weinberg, SEDO/DAPC