



State of Ohio Environmental Protection Agency

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January 22, 2009

Mr. Dean A. Woodyard
O.R. Woodyard Company
255 E. State Street
Columbus, OH 43215

**Re: Notice of Violation
Complaint investigation December 23, 2008 reporting requirement
Facility ID 0125043020**

Dear Mr. Woodyard:

Ohio EPA, Central District Office (CDO), Division of Air Pollution Control (DAPC) staff appreciates the courtesy and cooperation extended by Roger Liming and yourself on December 23, 2008 during a complaint investigation. The complaint alleges that visible particulate matter had been emitted from the crematory stack in excess of 20% opacity, as a 6-minute average, in violation of OAC rule 3745-17-07(A) and resulted in nuisance conditions in violation of OAC rule 3745-15-06. Please review the findings of violation and respond to the action items requested below.

Findings

1. Ohio EPA DAPC issued air permit-to-install (PTI) 01-08660 on October 10, 2002 for the crematory with afterburner, identified as emissions unit N001. CDO does not have a permit to operate (PTO) application on file for the operation of the crematory. The permittee is required under Section 13 of the General Terms and Conditions to submit a complete operating permit (PTIO) application within 30 days after commencing operation of the crematory.
2. Under Section C.2. of PTI 01-08660, monitoring and recordkeeping to demonstrate compliance with state rules and permitted emission limitations requires that a written log of the estimated body weight and the cremation times be maintained. In addition, under Section C.4, the operator shall perform daily checks for any visible particulate emissions from the stack, when the crematory

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

is in operation. The presence or absence shall be noted in an operations log book. CDO staff reviewed the circular chart record of the afterburner temperature during the cremations conducted on December 20, 2008 that included the charge weight of the body with the start time and duration of each cremation. No records were maintained, however, for the daily checks for any visible particulate emissions from the stack, when the crematory was in operation.

3. Under Section D.3 of PTI 01-08660, the operator is required to submit semiannual written reports that identify all days during which any visible particulate emissions were observed from the stack serving this emissions unit and describe any corrective actions taken to eliminate the visible particulate emissions. These reports shall be submitted to Ohio EPA Central District Office by January 31 and July 31 of each year and shall cover the previous 6- month period. No semi-annual written reports have been submitted that identified days during which visible particulate emissions were observed from the stack serving the crematory to the Central District Office.

Violations

O.R. Woodyard violated Ohio Revised Code (ORC) 3704.05(c) by violating the terms and conditions of a permit-to-install (PTI). Be advised, ORC rule 3704.05(c) states:

"No person who is a holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

O.R. Woodyard also violated the Ohio Administrative Code (OAC) rule 3745-35 by failing to submit a permit-to-operate application within 30 days following start up of the crematory.

Action for Remedy

1. Please submit a complete permit-to-operate (PTIO) application.
2. Please immediately initiate daily monitoring and recordkeeping for visible particulate emissions from stack, when charge materials are being cremated, as required by PTI 01-08660.
3. Please submit semiannual written reports that identify any days during which visible particulate emissions were observed from the stack serving this emissions unit, as required by PTI 01-08660.

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Please note that Ohio EPA has the authority to seek civil penalties as provided in the Ohio Revised Code (ORC) Section 3704.06. Submittal of the compliance plans, schedules, and reports does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC section 3704.06. The determination to pursue or decline such penalties in this case will be made by Ohio EPA at a later date.

Please submit the requested information within thirty (30) days of receipt of this letter. If you have any questions concerning the issues addressed in this letter, you may contact John Kirwin at (614) 995-0673.

Sincerely,



Kelly Toth
Environmental Supervisor
Division of Air Pollution Control
Central District Office

Enclosure: Facility Evaluation form

c: Adam Ward, Manager, DAPC/CDO
John Kirwin, DAPC/CDO
John Paulian, DAPC/CO