



State of Ohio Environmental Protection Agency

Southeast District Office

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

July 15, 2009

Certified Mail #7006345000190557907

Jack Snyder
US Technology
1446 W. Tuscarawas St.
Canton, OH 44702

Re: Tuscarawas County
US Technology; Facility ID # 0679000307
Notice of Violation

Dear Mr. Snyder:

On May 26, 2009, Ohio EPA, Southeast District Office (SEDO) representatives Melody Stewart (Division of Hazardous Waste Management or DHWM) and Kimbra Reinbold (Division of Air Pollution Control or DAPC) inspected US Technology (UST), the former Bolivar Block Plant located at 509 Water Street in Bolivar, Ohio. The purpose of DAPC's portion of the inspection was to determine the current operating status of the facility and UST's current status of compliance with state and federal air pollution regulations and the air permits issued for this facility. You and Jim Bale represented UST during the inspection.

There are currently four emissions units (EUs) permitted at the Bolivar plant: F001 (roadways and parking areas), F002 (aggregate storage piles), F003 (block sawcutting operation) and P901 (concrete block plant). Based on my observations during the May 2009 inspection, it appears that the aggregate storage piles, the block sawcutting operation, and the concrete block plant are no longer in operation. UST has never notified DAPC in writing of this change in operating status for these EUs. The roadways and parking areas continue to be operated and were in use for a short time when we first arrived at the facility.

Based on the facility tour and a review of reports submitted by UST, the following violations of the air permits for this facility and Ohio Revised Code (ORC) § 3704.05(C) were discovered:

- (1) Monitoring and Recordkeeping – F001
Part II.C.1 and 3 of Permit-to-Install (PTI) #06-07382
The permittee is required to conduct daily inspections of the roadways and parking areas, and to maintain records of when inspections were not conducted and controls were required but not implemented.

Although UST continued to use the roadways and parking areas at the facility to haul finished block and blast media, DAPC was told during the inspection that inspections of this emissions unit ceased when the concrete block making operation was removed. US

Technology must immediately begin conducting and documenting daily inspections of facility roadways and parking areas as required by the PTI. Further, UST must demonstrate that it is implementing best available control measures as detailed in the PTI when the results of daily inspections identify excess emissions of fugitive dust. Within 30 days of your receipt of this letter, UST must provide DAPC, SEDO with copies of completed inspection logs that demonstrate this violation has been abated.

(2) Reporting – F001

Part II.D of Permit-to-Install (PTI) #06-07382

The permittee shall submit quarterly deviation reports that detail any day when an inspection was required but not performed and any instance when control measures were required but not implemented.

UST has not submitted a quarterly deviation report for this EU since the 2nd Quarter 2007 report that DAPC/SEDO received on July 26, 2007. UST must begin submitting the quarterly deviation reports required by the PTI beginning with the quarterly report due on July 31, 2009.

Comments:

UST continues to operate a blast media cleaning and blending operation at this facility, and continues to haul its inventory of finished block off-site. The following equipment observed during the inspection is not currently covered under air permits:

- 1) Blast media screener;
- 2) Blast media blending silos (2);
- 3) Material handling and loading of blast media; and
- 4) Plastic granulator.

UST must provide Ohio EPA with information to determine if air permits are required for this equipment. Within 30 days of your receipt of this letter, UST must provide DAPC, SEDO with sufficient documentation to determine if these EUs are de minimis or exempt from air permitting requirements, including full process and control equipment information and emissions calculations. For any EU that is not de minimis or exempt, UST must submit complete permit-to-install and operate (PTIO) applications within 30 days of your receipt of this letter. Please note that DAPC/SEDO considers each of the above equipment to be separate EUs. Further, if the company is claiming exemption from permitting requirements under Ohio Administrative Code rule 3745-31-03(A)(1)(y) or (z) for any of these EUs, UST must provide documentation to demonstrate that the conditions of these exemptions can be met.

You stated that the equipment at the Canton plant is currently not covered by air permits, and that the equipment may be moved to the Bolivar site. Be advised that before any of this equipment is moved to the Bolivar site, it must be evaluated to determine if air permits are required, and all required air permits must be obtained prior to installation of those EUs at the Bolivar location.

Jack Snyder
US Technology
July 15, 2009
Page 3

The company must provide Ohio EPA with a compliance plan and schedule that outlines the steps that the company will take to ensure compliance with the applicable permit conditions and state and federal air pollution regulations as indicated above. Acceptance by Ohio EPA of a schedule for compliance does not constitute a waiver of 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 Ohio EPA at a later date.

Copies of the checklists completed as part of the inspection are enclosed. Should you have any questions, please feel free to contact me at (740) 380-5245 or via email at kim.reinbold@epa.state.oh.us.

Sincerely,



Kimbra L. Reinbold
Division of Air Pollution Control
Southeast District Office

KLR/mlm

Enclosure

cc: Melody Stewart, DAPC, SEDO
Tom Kalman, DAPC, CO
Lisa Holscher, USEPA, Region V