



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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

December 23, 2008

Jefferson County -
Ewusiak Development, LLC
Facility ID # 0641950044
Inspection Correspondence
Warning Letter

Certified: 70063450000190563694

Tammy Elliot
Ewusiak Development, LLC
1900 Commercial Avenue
Mingo Junction, Ohio 43938

Dear Ms. Elliot:

On November 10, 2008, I visited Ewusiak Development, LLC located at 1900 Commercial Avenue, Mingo Junction, Ohio to determine compliance with state and federal air pollution rules and regulations. Scotty Ewusiak represented the company during the inspection.

Ewusiak Development, LLC has the following emissions units: Roadways and Parking Areas (F001), Storage Piles (F002), and the Aggregate Processing Plant (P904). Permit-to-Install (PTI) #06-08247 was issued on June 26, 2007, for emissions units F001 and F002. PTI #06-08357 was issued on June 3, 2008, as a Chapter 31 modification removing emissions units P001, P901, P902, P903, and P905 from PTI #06-08247 and increased emission limitations for unit P904. Copies of these permits are enclosed for reference. The application for a Permit-to-Operate (PTO) has been submitted and is currently being reviewed by our office.

Based on the inspection, the following issues were discovered:

Emissions Unit F001 (Unpaved Roadways and Parking Areas):

Part II.C.1-3. of PTI #06-08247 requires daily inspections and recordkeeping of all unpaved roadways and parking areas. Ewusiak began doing inspections and keeping records for emissions unit F001 on September 1, 2008.

Part II.D.1. of the PTI also requires that deviation reports be submitted to the Ohio EPA Southeast District Office on a quarterly basis identifying all days when an inspection was not performed or when a control measure was not implemented. To date Ohio EPA has not received quarterly deviation reports from Ewusiak. **Please submit all required quarterly deviation reports.**

Emissions Unit F002 (Storage Piles):

Part II.C.1-6. of PTI #06-08247 requires daily inspections and recordkeeping of the load-in, load-out, and wind erosion from the storage piles. Ewusiak began doing inspections and keeping records for emissions unit F002 on September 1, 2008.

Part II. D.1. of the PTI requires that deviation reports be submitted to the Ohio EPA Southeast District Office on a quarterly basis that identifies all days when an inspection was not performed or a control measure was not implemented. To date, Ohio EPA has not received quarterly deviation reports from Ewusiak. **Please submit all required quarterly deviation reports.**

Emissions Unit P904 (Aggregate Processing Plant):

Part II.C.1-2 of PTI #06-08357 requires daily inspections and recordkeeping of the aggregate processing plant operations. Ewusiak began doing inspections and keeping records for emissions unit P904 on September 1, 2008.

Part II.C.3 of PTI #06-08357 requires that the permittee maintain monthly records of the a) operating hours for each month; b) beginning after the first 12 calendar months following the issuance of this permit, the rolling, 12-month summation of the operating hours and the cumulative operating hours for each calendar month; and c) the rolling, 12-month summation of particulate emissions (PE), nitrogen oxides (NOx) carbon monoxide (CO), sulfur dioxide (SO₂), and volatile organic compounds (VOC).

Part II.D.1. of PTI #06-08357 requires that deviation reports be submitted to the Ohio EPA Southeast District Office on a quarterly basis that identifies all days when an inspection was not performed or a control measure was not implemented for the aggregate processing plant. Ewusiak is also required to submit quarterly deviation reports that identify a) all exceedances of the rolling, 12-month limitation on the hours of operation; b) all exceedances of the rolling, 12-month PE, NOx, CO, SO₂, and VOC allowable emissions rates; and c) for the first 12 calendar months following the issuance of this permit, all exceedances of the maximum allowable cumulative hours of operation. To date Ohio EPA has not received quarterly deviation reports from Ewusiak. **Please submit all required quarterly deviation reports.**

Part II.E.2. a-g of PTI #06-08357 requires that performance testing be conducted as required in 40 CFR Part 60, Subpart OOO. Performance testing should have been completed within 180 days of becoming subject to 40 CFR Part 60. An Intent to Test (ITT) must be submitted 30 days prior to the proposed test date(s).

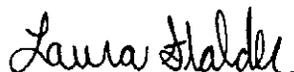
Please provide a compliance plan and schedule within 30 days that outlines the steps that Ewusiak Development, LLC will take to ensure compliance with the applicable permit conditions and state and federal air pollution regulations.

If you are unable to respond to any part of this request, within the time frame discussed above, please inform us and explain so that we may be of assistance. Should you have any questions, feel free to contact me at (740) 380-5253.

Tammy Elliot
Ewusiak Development, LLC
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Staff in Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) are available to provide free assistance to Ohio's small businesses in understanding and complying with environmental regulations. Ralph Witte is SEDO's OCAPP representative, and he should be contacted should you wish to request assistance in responding to this letter. I have enclosed contact information for Mr. Witte and an OCAPP brochure for reference.

Sincerely,



Laura Stalder
Environmental Specialist 2
Division of Air Pollution Control
Southeast District Office Ohio EPA

LS/mlm

Enclosures

cc: Ralph Witte, OCAPP