



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

September 15, 2009

RE: Perry County
Facility ID: 0664980010
Allied Corporation Plant #79
Notice of Violation
Certified: 70073020000178847572

Ms. Beth Mowrey
Director of Environmental Permitting and Compliance
The Shelly Company
P.O. Box 266
Thornville, Ohio 43076

Subject: Results of Inspection Conducted at Allied #79

Dear Ms. Mowrey:

On September 1, 2009, Michael Carper and I visited your facility located at 3350 Sawmill Road, Copley, OH 44321. The purpose of this visit was to determine the compliance status of Allied #79 with applicable federal and state environmental laws and regulations. As a result of my inspection and review of your records and reports, the following issue should be addressed:

1. PTIO P0104312 requires you to conduct emission testing within 120 days after the issuance of this permit or after beginning operations whichever date is later. Our records indicate that emission testing should have occurred on or before August 18, 2009. Because emission testing did not occur, a baseline for pollutant levels (concentrations) could not be established.

At the time of the inspection, Allied #79 was utilizing used oil. The plant operator informed us that they had switched to used oil on August 31, 2009. Please be advised that you have 60 days to have an emissions test conducted once you have switched to a secondary fuel.

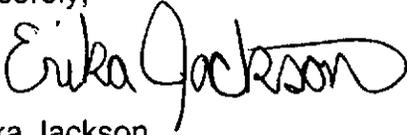
Please provide Ohio EPA, **within thirty (30) days of your receipt of this letter**, a compliance plan and schedule that outlines the steps that the company will take to ensure compliance with the applicable permit conditions and state and federal air pollution regulations as indicated above.

Acceptance by Ohio EPA of the above requested information 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.

Ms. Beth Mowrey
The Shelly Company
September 15, 2009
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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, contact me at (740) 380-5228 or erika.jackson@epa.state.oh.us.

Sincerely,

A handwritten signature in black ink that reads "Erika Jackson". The signature is written in a cursive, flowing style with a large initial "E" and a long, sweeping underline.

Erika Jackson
Environmental Specialist II
Division of Air Pollution Control

EJ/mlm

cc: Bruce Weinberg, SEDO, DAPC
Lisa Holscher, USEPA
Jim Orlemann, CO, DAPC