General Correspondence

OhioEPA

State of Ohio Environmental Protection Agency

Southeast District Office

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

September 18, 2008

RE: Muskingum County
Various Facilities

Mr. Tony Ruggiero
Mar-Zane Materials Inc.
3570 South River Road
Zanesville, Ohio 43701

SUBJECT: Receipt of Requested Information and Notice of Reporting Violation

Dear Mr. Ruggiero:

This letter is to confirm that I have received requested information concerning several facilities owned and operated by Mar-Zane Materials and to identify reporting violations. The information requests were generated as the result of inspections, and the review of files and reports.

MarZane Plant #12 (0660000080)

Semi-annual reports of visible emissions from the stack, rotary drum, hot mix asphalt elevator, and any other areas are required by PTI 06-08151 issued on September 7, 2006 (P901: Sections II.D.7,8, and 9). I received your semi-annual report for the first half of 2008 on September 5, 2008 (Due Date July 31, 2008).

The semi-annual report for the time period of July-December of 2007 (Due Date January 31, 2008) was not submitted to this office. Please provide a semi-annual report for the second half of 2007 by **October 25, 2008**. Failure to submit deviation reports as required by the permit is a violation of OAC rule 3745-15-03(B)(1)(a). Please review your permits to ensure that all required reports are being submitted as required for Mar-Zane and S&S Aggregates' portable facilities.

MarZane Plant #11 (0660010056)

On September 5, 2008, I received your explanation of the reason why no investigation was conducted on the plant when the pressure drop was below the operating range (3-8 inches of water). Please reiterate to your plant foremen the importance of knowing the requirements of the applicable permits and the operating parameters that the plants are expected to operate at. In addition, please review with your plant foreman the proper recordkeeping procedures to be executed when the plant deviates from the permitted operating range(s).

Please submit to this office for review a description of MarZane's efforts to notify the plant foreman of the permit requirements, emission limits, and operating ranges; and the recordkeeping requirements that are associated with any deviations from these requirements and limits. Please submit your explanation to this office by **October 25, 2008.**

Mr. Tony Ruggiero
Mar-Zane Materials Inc.
September 18, 2008

MarZane Plant #13 (0660000081)

On August 8, 2008, I received copies of the requested used oil analytical. The analyses appear to be in compliance with your permit.

MarZane Plant #24 (0660010242)

On August 8, 2008, I received the requested used oil analytical and your revised 2006 fourth quarter report. The analyses appear to be in compliance with your permit. Your revised quarterly report will be entered into our system; however, please be aware that MarZane's failure to identify the pressure drop deviation in a timely manner (by January 31, 2007) is a violation of OAC rule 3745-15-03(B)(1)(a).

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.

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.

Sincerely,

Michael Carper

Michael Carper
Environmental Specialist II
Division of Air Pollution Control

MC/mlm