



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

February 14, 2008

Re: Muskingum County
Burnham Foundry
Facility ID # 0660010101
**Response to Compliance Plan/
Notice of Violation**

Certified: 70063450000190560686

Mr. Jeremiah Clegg
Burnham Foundry
2345 Licking Road
P.O. Box 3148
Zanesville, OH 43702

Dear Mr. Clegg:

I am writing in response to the letter you submitted to this office on behalf of Burnham Foundry on October 15, 2007. Your letter was submitted following Sarah Harter's September 4, 2007 letter as part of a continuing line of correspondence initiated by Sarah's June 21, 2007 warning letter.

F004 Visible Emissions:

Ohio EPA does not agree with Burnham Foundry's stance that the opacity problem was caused by organic emissions and not particulate. Sarah Harter's November 7, 2006 observations indicate a particulate problem and the only way to refute this would be through stack testing. Although Burnham Foundry brings up some valid points, we believe that the first step in a return to compliance will require that the emission unit be tested and that the data from that test can then be used to assess any problems that emission unit F004 may have and any appropriate corrective measures that may be needed.

Based on Sarah's observations on November 7, 2006, F004 remains in a state of non-compliance with the provisions of OAC rule 3745-17-07(A), and will continue to be in non-compliance until Burnham Foundry demonstrates that a return to compliance has been achieved. Based on Sarah's observations on November 7, we have reason to believe that F004 is also in violation of the particulate emission rate specified by OAC rule 3745-17-11(B). Ohio EPA has the authority to require you to complete emissions testing when it is believed you are exceeding an allowable emissions rate and/or limit pursuant to OAC rule 3745-15-04(A). Burnham Foundry shall conduct emissions testing of F004 to determine compliance with permitted emission limits. Failure to complete the testing will result in an enforcement referral to our Central Office. The emission testing shall be conducted in accordance with the following requirements:

- a. The emission testing shall be conducted within 45 days of receipt of this letter.
- b. The emission testing shall be conducted to demonstrate compliance with the allowable particulate mass emission rate and the visible particulate emission limit.
- c. The following test methods shall be employed to demonstrate compliance with the allowable emission limits:
 - for particulates, Test methods 1-5, of 40 CFR Part 60, Appendix A
 - for visible particulates, Test method 9, of 40 CFR Part 60, Appendix A.Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.
- d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Southeast District Office.
- e. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Southeast District Office. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Southeast District Office's refusal to accept the results of the emission test(s).
- f. Personnel from the Southeast District Office shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.
- g. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the Southeast District Office within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Southeast District Office.

Complaint Investigation:

In the letter you submitted, Burnham Foundry has committed to the following actions regarding the complaint investigation:

1. Leak check the baghouses for Emissions Units F025, F026, and P014 with ultra-violet leak detection powder.
2. Conduct an official Method 9 visible emission test on Emission Units F025, F026, and P014 while running at a normal capacity.

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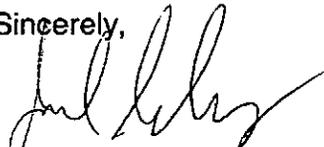
3. Burnham will conduct required stack testing on Emissions Units F013, F014, and F015.
4. All testing for this complaint investigation will be completed by 05/08/2008.

Ohio EPA accepts this plan to assess Burnham Foundry's compliance. With your Intent to Test form (ITT), please identify the operating scenarios that will represent "normal capacity" for your compliance testing. Ohio EPA will make a determination at that time if this is an acceptable operating rate to test compliance.

Acceptance by the Ohio EPA of a schedule for compliance does not constitute a waiver of the 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 the Ohio EPA at a later date.

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) 380-5234 or joseph.laughery@epa.state.oh.us.

Sincerely,



Joe Laughery
Environmental Specialist II
Division of Air Pollution Control
Southeast District Office Ohio EPA

JL/mlm