OhioEPA

State of Ohio Environmental Protection Agency

Southeast District Office

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

May 30, 2007

Re: Coshocton County
Clow Water Systems Company
Facility ID # 0616010006
Inspection Correspondence-Warning Letter
Complaint Investigation Report

Heather A. Klesch, Environmental Manager
Clow Water Systems Company
P.O. Box 6001
2266 South Sixth Street
Coshocton, OH 43812-6001

Dear Ms. Klesch:

On May 9, 2007, I performed an inspection and complaint investigation of Clow Water Systems Company ("Clow") located at 2266 South Sixth Street in Coshocton, Ohio. The inspection was conducted to determine the facility's compliance with state and federal air pollution rules and regulations and the company's Title V operating permit and permits-to-install ("PTIs"). You, Mr. Bart Mathews and Mr. Bill Couts represented the company during the inspection. The complaint investigation involved a review of potential dust sources that appear to be impacting neighbors to the north and east of the facility.

Clow is operating under a Title V permit issued on June 8, 2000. The most recent renewal application was received by Ohio EPA on December 20, 2004; the initial renewal application was received on December 10, 2004. In addition to the Title V permit, Clow has been issued several PTIs for new or modified emissions units at the facility. Most of the emissions units were in operation at the time of the inspection or had operated that day. Copies of the checklists completed as part of the inspection are enclosed.

Based on my inspection, file review, and reports submitted by Clow, the following violations were discovered:

Violations:

(1) ***PTI Required***
Ohio Administrative Code ("OAC") rule 3745-31-02(A)(1)
Except as provided in rule 3745-31-03 of the Administrative Code, no person shall cause, permit, or allow the installation of a new source of air pollutants, or cause, permit, or allow the modification of an air contaminant source, without first obtaining a PTI from the director. New source is defined as any air contaminant source for which an owner or operator undertakes a continuing program of installation or modification or enters into a binding contractual obligation to undertake and complete, within a reasonable time, a continuing program of installation or modification, after January 1, 1974, and that at the time of installation or modification, would have otherwise been subject to the provisions of this chapter.

On January 30, 2007, Clow obtained a final PTI for emissions units P035, P036, P037, and P038. As indicated in the installation certifications received on March 19, 2007 and in STARS, emissions units P035, P037, and P038 were installed on December 20, 2006, over a month prior to issuance of the PTI. Operation of these units began during the first week of January 2007.

No further action is required at this time to address this violation.

(2) ***Installation Certification***
Part I, Section B.8 of PTI # 06-08238
The applicant shall provide Ohio EPA with a written certification that the facility has been constructed in accordance with the permit-to-install application and the terms and conditions of the permit-to-install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

Emissions Units P035, P037 and P038 were installed on December 20, 2006 and operation of these units began the first week of January 2007. The installation certifications were received by Ohio EPA on March 19, 2007, over 2 months after startup of these sources.

No further action is required at this time to address this violation.

(3) ***Monitoring and Recordkeeping***
Part III., Section A.III.1. of PTI # 06-07603 for emissions unit P007 (jolt sand system).
The permittee shall perform weekly checks for any visible fugitive particulate emissions from the side draft hood serving this emissions unit.

On January 19, 2007, Clow and DAPC/SEDO met by phone to discuss Clow's concern with the visible emissions monitoring required for this unit in PTI # 06-07603. Email correspondence between the agency and Clow further discussed Clow's concern with the requirement, the company's proposed changes, and Ohio EPA's concerns with the proposed changes. On April 23, 2007, Ohio EPA received a written request from Clow for administrative modification of the visible emissions monitoring requirement for P007. In response to questions about this modification request that were Emailed on April 30, 2007, you indicated that the visible emissions monitoring for this unit was now being conducted at building egress points, not at the capture points of the vent system serving this unit as required by the permit. By letter dated May 2, 2007, Ohio EPA returned the P007 modification request to Clow because as proposed, the modification would constitute a Chapter 31 modification, not an administrative modification. This was based on Ohio EPA's conclusion that the change requested by Clow would represent a relaxation of the current requirements.

During the inspection, this unit was evaluated in more detail and the capture points for fugitive dust were pointed out by Mr. Mathews. Upon further review of the inspection requirements imposed by the current permit, it was determined that weekly inspections, not Method 9 readings, were required, and that implementation of the weekly inspections of the unit capture points, looking for the presence or absence of fugitive dust, is feasible. To demonstrate correction of this violation, Clow must provide Ohio EPA with a copy of the inspection log kept for this unit since the date of the inspection.

Complaint Investigation:

On April 30, 2007, Ohio EPA received a complaint from one of Clow's neighbors who stated that dust, noise and vibrations from Clow's operations continue to impact his property. The same complaint was lodged by this neighbor in April of 2006. Prior to and after visiting the Clow facility on May 9, 2007, I visited the complainant's home and documented the presence of significant fine black dust on most of the surfaces outside the home. I also noted that many of the metal surfaces and fasteners had significant rust. A sample of the dust collected by the complainant was provided to Ohio EPA. The complainant also described the problem with vibration from the pipe breaking operation in Clow's scrap yard, and I was shown a piece of iron pipe that had appeared in his back yard earlier in the year, which is a safety concern.

Based on my investigation at the complainant's property and review of potential dust sources at Clow, as well as observations of other Ohio EPA inspectors during a site visit on May 15, 2007, it appears that dust from the company's activities may be causing a nuisance as defined in OAC rule 3745-15-07. While the source(s) of the dust were not identified during the site visit, I did observe significant amounts of dirt, rust, and sand in many areas of the facility, particularly along travel routes and around the scrap yard. Further, you indicated that in March of 2007, Clow began using a new beneficial use area for the disposal of spent foundry sand and slag. Off loading into the new piles, wind erosion from the piles themselves, and travel on the new unpaved roadways were identified as potential sources of nuisance dust leaving the Clow property. The complainant had indicated that the problem has gotten worse over the last year or two, especially since the company removed several large mature trees recently. I confirmed the trees were removed from the east end of the beneficial reuse area, and it does appear that the wind break that separated Clow from the neighborhood to the north and east has been decreased, increasing the potential for off-site migration of fugitive dust.

To resolve the potential violation of Ohio's air pollution control rules, Clow must investigate the sources of fugitive dust leaving the Clow property and must implement measures to prevent it. Clow is not located in an area identified in Appendix A of OAC rule 3745-17-08; however, please note that the control measures in OAC rule 3745-17-08(B) can be imposed if Ohio EPA believes that fugitive dust sources are causing a violation of OAC rule 3745-15-07. Clow must provide Ohio EPA with its plans to investigate the source(s) of the fugitive dust at the Coshocton facility and to implement measures to control the fugitive dust with the potential to leave Clow property. Please see Title V Permit Renewal Question # 9 and Additional Comment #1 for questions related to permitting of two of Clow's fugitive sources.

Title V Permit Renewal Application Questions and Comments:

A full completeness and technical adequacy review has yet to be performed on Clow's Title V renewal application. However, while completing the enclosed inspection forms, several portions of the renewal application were reviewed, and the following questions and necessary updates were identified:

(1) Pouring Main Floor (F008). This unit is listed as shut down in Clow's Title V renewal application, and the comments indicate the name was changed but not to what. This unit was identified as still operating during the Title V inspection. Further, Clow's initial TV permit application shows this unit was modified in 6/89. Clow must evaluate this unit and

inform Ohio EPA of its status. If the unit was modified in 1989, Clow must submit a PTI application if applicable. STARS must be updated to show the correct status of this unit and if it is a non-insignficant unit, the application forms for this unit must be added to STARS.

(2) Jolt Line (F007, F009, P007). The modification date for these units, September 2006 as indicated on the installation certifications, must be identified in the Title V renewal application is STARS. Further, the original Title V permit application indicates that EU F009 (Jolt Pouring and Cooling) was modified in 6/89. Please provide Ohio EPA with the verified installation date and any modification dates (prior to 9/06) for EU F009.

(3) BMM Pouring (F010). The original Title V permit application for this unit indicates it was installed in 1936 and modified in 6/89. The renewal application indicates this unit was installed in 6/73 and was never modified. Please provide Ohio EPA with the verified installation date and any modification dates for this unit.

(4) Fittings Grinding (F011). The Title V renewal application indicates this unit is now considered insignificant and is exempt pursuant to OAC rule 3745-31-03. Please provide Ohio EPA the basis for this change in status. Further, the original Title V application indicates this unit was installed in 6/74, but the renewal application indicates it was installed in 6/72. Please provide Ohio EPA with the verified installation date of this unit.

(5) Pipe Finishing - Grinder 300.E3 & Scrapers 300.C4 & C5 (F013). This unit is not included in the current Title V permit, and STARS shows this unit as "not required and canceled per Kay Gilmer as part of Title V review 8/99". However, documentation of this determination could not be located in Ohio EPA's files. If Clow has a copy of the 8/99 determination, please provide it to Ohio EPA. I did find the inspection letter from May 1999, and in that letter Ms. Gilmer identified this unit as small enough to be considered insignificant, but she did not indicate that coverage under the Title V permit was not required. Please provide Ohio EPA with the correct status of this unit and update STARS as applicable. In addition, please verify the installation date for this unit; STARS indicates it was installed in 6/78.

(6) BMM Shakeout (F016). The original Title V permit application for this unit indicates it was installed in 1/73 and modified in 6/74. The renewal application indicates this unit was installed in 6/72 and was never modified. Please provide Ohio EPA with the verified installation date and any modification dates for this unit.

(7) Charge Handling (F017). The original Title V permit application for this unit indicates it was installed in 6/72 and modified in 6/88. The renewal application indicates this unit was never modified. Please confirm whether or not this unit was modified in 6/88.

(8) Centrifugal Casting Machines #s 1-6 (F018). The original Title V permit application indicates this unit was installed in 6/49 and was modified in 6/95, while the renewal application lists the installation date as 6/72 and a modification date of 1/79. Clow must provide Ohio EPA with the verified installation and modification dates for this unit. The unpermitted status of the unit as modified in 1/79 was identified in the December 30, 2004 Director's Final Findings and Orders, but as indicated in the letter dated April 13, 2007, this violation has yet to be resolved.

(9) Roads (F019).

a) Although this unit is a non-insignificant emissions unit in the existing Title V permit, the renewal application indicates this unit is now considered insignificant and is exempt pursuant to ORC § 3704.036. Clow must provide Ohio EPA the potential to emit calculations for this unit that were used to conclude that this unit is now insignificant.

b) A section of unpaved roadway was added when the new beneficial reuse area was put into service in late March of 2007. Did the addition of this roadway constitute a Chapter 31 modification of this unit? Please provide Clow's evaluation of this change as it impacts fugitive emissions from this source.

c) The original Title V application indicates this unit was installed in 6/72 and was modified in 6/95, but the renewal application does not indicate this unit was modified after installation in 6/72. Please confirm whether or not this unit was actually modified in 6/95. Was this when previously unpaved roadways at the facility were paved?

(10) Centrifugal Casting Machine #7 (F021). A PTI for this unit (#06-07111) was issued on May 1, 2003, but you indicated that this unit was never installed so this PTI is expired. However, this unit is identified as a non-insignificant unit in STARS with an expected installation date of 7/05. Please update STARS to show this unit as shut down/never installed, as applicable.

(11) Fittings Painting (K002). The original Title V permit application for this unit indicates it was modified in 7/93. The renewal application indicates this unit was installed in 6/65 and was never modified. Please provide Ohio EPA with the verified installation date and any modification dates for this unit.

(12) Pipe Painting - Small Line (K006). The original Title V permit application for this unit indicates it was installed in 6/60 and modified in 8/93. The renewal application indicates this unit was installed in 6/72 and was modified in 6/93. Please provide Ohio EPA with the verified installation date and any modification dates for this unit.

(13) Small and Large PUNB Mold and Core Wash (K007 and K008). The original Title V permit application for these two units indicates they were installed in 1/90, but the renewal application indicates the units were installed in 1/70. Please provide Ohio EPA with the verified installation dates for these units.

(14) Annealing Oven (P020). Both the initial and renewal Title V permit applications identified this unit as being installed in 6/77, but in the initial application a modification date of 6/90 was provided. Clow must verify whether or not this unit was modified in 1990. The unpermitted status of the unit (based on the installation date of 6/77) is identified in the letter dated April 13, 2007; however, this violation has yet to be resolved.

(15) Cupola Hot Blast Furnace (P033). The original Title V permit application for this unit indicates it was installed in 6/60 and was modified in 8/89. The renewal application also indicates this unit was installed in 6/60 but no modification date is listed. Please provide Ohio EPA with the verified installation date and any modification dates for this unit. Please confirm whether or not this unit was modified in 8/89.

(16) Shell Core Machine #4 (P034). This emissions unit is listed as a new, non-insignificant unit in the Title V renewal application, although the original Title V application indicated this unit, installed in 12/77, was exempted because of its deMinimis status. A PTI (#06-08030) was issued for this unit on April 18, 2006. To date, no facility or EAC forms have been provided for this unit in the renewal application, so if Clow verifies its non-insignificant status, the application forms need to be added to STARS.

(17) Air pollution control equipment (APCE). The new baghouse serving emissions units P035, P036, P037 and P038 needs to be added to the Title V renewal application in STARS. Clow is also advised to review the APCEs listed in STARS and ensure that the most current APCE for each unit, if applicable, is listed.

Additional or General Comments:

(1) Clow is in the process of closing an area on the northwest side of its property that continues to be used to dispose of spent foundry sand and slag. At the end of March 2007, the company began using another beneficial reuse area that is north and east of the current disposal area. As we discussed during the inspection, it does not appear that the current reuse area is considered an emissions unit under Clow's current Title V permit, although it is unclear whether potential fugitive dust emissions from management of the waste material have ever been evaluated. In other industries and in landfill operations, particulate emissions from truck unloading, wind erosion, and pile maintenance activities are usually regulated, even though particulate emissions are relatively low.

To resolve this issue, Clow must provide Ohio EPA with an evaluation of the existing and new beneficial reuse areas and calculations of potential fugitive emissions from these areas. Enclosed is a copy of the spreadsheet Ohio EPA uses for this type of evaluation. While it is likely the current and new areas would be deMinimis (no regulations apply) or otherwise considered insignificant units, they would still need to be included in the Title V renewal application unless there are no potential particulate emissions.

(2) As we discussed during the inspection, the Title V compliance certification received on May 1, 2007 did not include a reference to Part I.A.6.a. of the Title V permit for the cupola operating parameter deviations. In addition, three deviations reported in 1st Q 2006 were not reported on the compliance certification. The three deviations were not reported because based on review of the company's records, these were not actual deviations because the unit was shut down at the time and no emissions occurred. On May 11, 2007, Ohio EPA received a revised Title V compliance certification that include a reference to Part I.A.6.a. of the Title V permit for the cupola operating parameter deviations. Thank you for resolving this omission.

(3) During a recent complaint investigation by Ohio EPA's Division of Hazardous Waste Management, staff from the Southeast District Office documented there had been a break in the water line that supplies water to the to the wet cap of the cupola on February 2, 2007. Did this incident constitute a malfunction of emissions unit P901 as defined in OAC rule 3745-15-06? Verbal or written notification of the incident was not provided to the Division of Air Pollution Control, so if the incident did constitute a malfunction as defined in the rule, Clow would be in violation of the malfunction reporting requirement in Part I, Section A.2 of its Title V permit.

(4) To date, DAPC/SEDO has not received a response to the warning letter dated April 13, 2007. The violations cited in that letter remain unresolved and an extension has not been requested. Clow must, at a minimum, provide a response to that warning letter with the response to this letter as required below. Further, please note that additional PTI violations will be cited if, after review of the permitting information requested above, Ohio EPA confirms that additional emissions units were installed or modified without PTIs.

Within 30 days of your receipt of this letter, please submit to this office the information requested above. Clow must provide Ohio EPA 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 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) 380-5245 or via email at kim.reinbold@epa.state.oh.us.

Sincerely,

Kimbra L Reinbold

Kimbra Reinbold
Division of Air Pollution Control
Southeast District Office

KR/mlm

cc: Rich Stewart, DHWM, SEDO