



John R. Kasich, Governor
 Mary Taylor, Lt. Governor
 Scott J. Nally, Director

October 30, 2012

**RE: Muskingum County
 Mar-Zane Plant 6
 Facility Id #:0660000003
 EU #: P902
 HPV-GC8 Notice of Violation
 CERTIFIED: 70102780000197062156**

Mr. Anthony Ruggiero
 Mar-Zane, Inc.
 3570 S. River Rd.
 PO Box 1585
 Zanesville, OH 43702

Dear Mr. Ruggiero:

On August 15, 2012, Chief Environmental Group, LTD., performed a particulate, sulfur dioxide, nitrogen oxides, carbon monoxide, and volatile organic compounds emissions compliance test at Mar Zane Plant 6, State Route 60, Zanesville. The compliance test was performed on Emissions Unit (EU) P902, a 250 ton per hour asphalt plant, while burning natural gas, 30% recycled asphalt product and 5% asphalt concrete. Ohio EPA received the test report on September 21, 2012. The test report has been reviewed and we have concluded that the tests were performed according to the procedures specified in 40 CFR Part 60, Appendix A, U.S. EPA Test Methods 6, 7E, 9, 10 and not in accordance with test methods 1-5 and 25. The results of the test showed the source to be out of compliance for carbon monoxide with the applicable Ohio EPA regulations and your facility permit terms and conditions.

Plant 6 permit requirements and test results for EU P902:

P902	Particulate matter	Sulfur dioxide	Nitrogen oxide	Carbon monoxide	Volatile organic compounds	Opacity
Tested Emission Rate:	0.005 gr/dscf	0.11 lbs/hr	8.0 lbs/hr	46.1 lbs/hr	7.9 lbs/hr	0% as a 6-min average
Allowable Emission Rate:	0.04 gr/dscf	14.5 lbs/hr	13.8 lbs/hr	32.5 lbs/hr	52.5 lbs/hr	20% as a 6-min average
Source Operating Rate:	245 tons/hr (250 tons/hr Max)					

Deficiencies

Mar-Zane failed to indicate that there was a substantial change to the Method 25 analysis in the intent to test form. Method 25, Section 11.1.3.3 states: *"during recovery of the condensate trap the heating shall not exceed 200 degrees Celsius"*. The laboratory that Mar-Zane contracted to perform this analysis utilized temperatures in excess of 200 degrees Celsius. There has been significant discussion and research submitted regarding the 200 degree temperature requirement; however, U.S. EPA has not changed the method. Ohio EPA is accepting the Method 25 results and is granting a one-time allowance for this test.

Mar-Zane also failed to adhere to the Method 1, Table 1-1 Cross Section Layout for Rectangular Stacks. Mar-Zane was notified of the Method 1 conflict prior to testing. With the data provided by Mar-Zane, a 5 x 5 matrix was required per the Method 1, Table 1-1 and Mar-Zane used a 4 x 7 matrix. The failure to follow the Method 1 criteria invalidates the data obtained from the Method 5 particulate test. Method 5 requires the strict adherence to the Method 1 criteria to obtain reliable results.

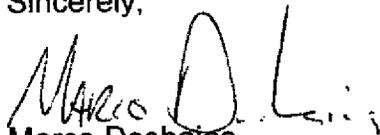
Please submit to this office, within 30 days of receipt of this letter, a plan and schedule for achieving compliance with the particulate and carbon monoxide compliance requirements. Submit this plan to the attention of Sandy Colegrove.

Acceptance by Ohio EPA of a compliance plan and schedule does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Revised Code. The determination to pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

Please refer any questions concerning the above requirements to Sandy Colegrove, Ohio EPA, Division of Air Pollution Control, at (740) 380-5201 or Sandy.Colegrove@epa.ohio.gov.

Thank you for your cooperation in this matter.

Sincerely,



Marco Deshaies
Environmental Specialist
Division of Air Pollution Control

MD/cs

cc: Sandy Colegrove, DAPC-SEDO (Emissions Unit File Copy)
Marco Deshaies, DAPC-SEDO
Dean Ponchak, DAPC-SEDO
Bruce Weinberg, DAPC-CO
Mickey Jencius, U.S. EPA, Region V
Test Report File Copy