



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

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September 12, 2013

L.J. Butch Cherrington
President
Complete Resources Company
1275 E. Fifth Avenue
Columbus, OH 43219

Re: **Notice of Violation** based upon the observance of visible fugitive emissions from lack of water application, at the Complete Resources Company, Haul Road, Columbus, Ohio (Facility ID No. 0125042067).

Dear Mr. Cherrington,

Ohio EPA, Central District Office (CDO), Division of Air Pollution Control (DAPC) inspectors, Matthew Woods and Todd Scarborough, visited the Complete Resources Company, Columbus, Ohio, facility on Thursday, September 05, 2013 in response to visible emissions being observed.

Listed below are "Findings" based upon CDO observations and conversations with facility personnel. These findings are followed by "Violation(s)" and "Requested Action(s)" necessary to address stated findings and violations.

Finding:

Ohio EPA, CDO, DAPC personnel observed visible particulate emissions emanating from the facility at 9:55 a.m. on September 5, 2013. Visible particulate emissions were observed from the materials handling, storage pile traffic and crushing and screening operations. The materials being handled appeared very dry. Facility personnel stated that water was being applied internally, in the crusher, and that something may have been wrong with the nozzle because the material exiting the crusher was dry and emanating fugitive emissions.

Section b)(2)a.i. of Permit to Install and Operate (PTIO) No. P0083132 issued on 9/5/2012 states:

"The permittee has committed to perform the following control measure(s) to ensure compliance:

- i. The use of water or other suitable dust suppression chemicals for the control of fugitive dust".*

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Violation:

Operating the Complete Resources Co. facility without the proper application of water to control particulate emissions is a violation of OAC rule 3745-17-08(B), and reasonably available control measures (RACM) as described under OAC rule 3745-31-05(A)(3) in Permit to Install and Operate (PTIO) No. P0083132 issued on 9/5/2012.

Violations of the terms and conditions of PTIO No. P0083132 are also considered a violation of Ohio Revised Code 3704.05(C) which states:

"No person who is the holder of a permit [...] shall violate any of its terms or conditions"

Requested Action:

CDO is requesting that within 30 days of receipt of this letter, Complete Resources Co. submit a plan that includes a schedule of watering as well as maintenance and monitoring of the dust suppression system to prevent further excessive visible emissions in order to return the facility to compliance.

If, at some time in the future, this facility experiences an equipment malfunction or deviation from normal processes, contact CDO, DAPC to report the malfunction and a timeline for necessary repairs.

Please note that Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by the Ohio EPA at a later date.

If you have any questions regarding this letter, please contact Matthew Woods of my staff at (614) 728-8471 or matt.woods@epa.state.oh.us.

Sincerely,



Bryon Marusek
Supervisor, Permits and Compliance
Division of Air Pollution Control
Central District Office

c: Matthew Woods, DAPC/CDO
John Paulian, DAPC/CO
Kelly Toth, DAPC/CDO