



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

Re: Ashland County  
0303010193  
Stack Test  
**Notice of Violation NOV/HPV/GC8)**

September 23 2013

CERTIFIED MAIL

Mr. Dennis Kruty  
Sarver Paving Company  
1208 Masters Avenue  
Ashland, Ohio 44805

Dear Mr. Kruty:

The stack test conducted on June 20-21, 2013, on Ohio EPA emissions unit No. P901 (165 TPH Drum Mix Asphalt Plant), has been reviewed. The testing was conducted in conformance with Ohio EPA methods and procedures. Our review confirms the following reported data are accurate:

**Critical Test Data  
(In Three Run Averages)**

<b>Pollutant</b>	<b>Actual Emission Rate</b>	<b>Allowable Emission Rate</b>	<b>Source Operating Rate</b>	<b>Maximum Source Operating Rate<sup>a</sup></b>
NO <sub>x</sub>	0.054 lb/ton asphalt	0.075 lb/ton asphalt	159.2 TPH	165 TPH
CO	0.030 lb/ton asphalt	0.15 lb/ton asphalt	159.2 TPH	165 TPH
VOC	0.219 lb/ton asphalt as VOC	0.15 lb/ton asphalt	159.2 TPH	165 TPH

The plant fuel used on the day of the test was #2 fuel oil. Opacity observations were performed on the baghouse outlet using Method 9. Due to technical difficulties, particulate and sulfur dioxide testing was suspended during this testing event. The company rescheduled and completed this testing on August 20, 2013.

<sup>a</sup> Maximum Source Operating Rate (MSOR) is defined as the condition that is most likely to challenge the emission control measures with regards to meeting the applicable emission standard(s). Although it generally consists of operating the emissions unit at its maximum material input/production rates and results in the highest emission rate of the tested pollutant, there may be circumstances where a lower emissions loading is deemed the most challenging control scenario. Failure to test at the MSOR is justification for not accepting the test results as a demonstration of compliance.

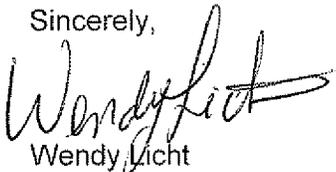
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The emissions unit was being operated in violation of its allowable emissions rate for VOC. Failure to meet the allowable VOC emission rate is a violation of the Permit to Install and Operate P0086776 issued August 16, 2012, OAC rule 3745-31-05(A)(3), and Ohio Revised Code 3704.05. It was therefore necessary to retest for VOC during the August 20, 2013 testing event. The company completed the required testing and a review of the test report is pending. The results of the August 20, 2013 testing event will determine what appropriate action the company needs to take to achieve compliance with the applicable emission limitation for VOC.

Please note, however, that this does not preclude the Director from seeking civil penalties pursuant to ORC section 3704.06 for these violations. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements. Also please be aware that if in the future Sarver decides to run a design mix that would produce a higher level of emissions it may be necessary to retest.

Please contact me as soon as possible regarding these matters at (419) 373-3134. Thank you.

Sincerely,



Wendy Licht  
Division of Air Pollution Control

/lir

pc: Robert Teer, DAPC-NWDO  
DAPC, NWDO Stack File  
DAPC, NWDO Asphalt File  
Follow-up File  
Certified Mail Receipt Number 7009 1410 0001 1835 2381

ec: Bruce Weinberg, DAPC-CO  
Brian Dickens, US EPA, Region V  
Mark Budge, DAPC-NWDO  
Jay Liebrecht, DAPC, NWDO  
Jennifer Jolliff, DAPC-NWDO  
Robert Teer, DAPC, NWDO  
Tom Sattler, DAPC, NWDO  
Wendy Licht, DAPC, NWDO