

# CITY OF TOLEDO



## DEPARTMENT OF PUBLIC UTILITIES

September 2, 2009

### CERTIFIED MAIL



Mr. Timothy Kasmoch  
CEO/President  
N-Viro International Corporation  
3450 West Central Avenue  
Suite #328  
Toledo, Ohio 43606

Re: Notice of Violation

Dear Mr. Kasmoch:

Enclosed, please find a "Notice of Violation" for N-Viro Toledo Processing Center (Ohio EPA Facility ID 0448011569 Emissions Units F001). Please review this document carefully as some action is required on your part.

If you have any questions, please feel free to contact me at 419-936-3778.

From Toledo - An International Award Winning City!

A handwritten signature in cursive script that reads "David A. Muir".

David A. Muir  
Environmental Specialist

### Enclosure

cc: Tim Murphy  
Karen Granata  
Leslie Kovacic  
John Paulian, OEPA  
Lisa Holscher, USEPA Region V

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Timothy D. Murphy, Commissioner  
DIVISION OF ENVIRONMENTAL SERVICES  
Quilter Environmental Center  
348 South Erie Street, Toledo, Ohio 43604-8633 USA  
Telephone: 419-936-3015 Fax: 419-936-3959 E-mail: tim.murphy@toledo.oh.gov

# CITY OF TOLEDO

## NOTICE OF VIOLATION

September 2<sup>nd</sup> 2009

The City of Toledo Division of Environmental Services hereby serves notice that:

### DEPARTMENT OF PUBLIC UTILITIES

N-Viro Toledo Processing Center

3900 North Summit Street

Toledo, Ohio 43611

Has violated the following environmental laws, orders, rules, or regulations on the indicated dates at the above address.

#### Date(s) of Violation(s)

August 21, 2009

#### Regulation(s) violated

ORC 3704.05(C) - No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions.

#### Description of Source(s) and Violations(s)

Permit to install 04-503 requires the doors to be closed on the leeward side of the building on days when the wind exceeds 15 miles per hour. During a site visit, the wind speed was greater than 15 miles per hour however, 19 of 21 bay doors on the leeward side of the processing building were open either completely or partially.

OAC rule 3745-17-07(B)(6)- Visible emissions of fugitive dust from any material storage pile shall not exceed 13 minutes in any 60-minute observation period.

During a site visit, visible emissions of fugitive dust for twenty-three minutes in a forty-minute observation period.

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Timothy D. Murphy, Commissioner  
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