

Not a HPV

CITY OF TOLEDO

DEPARTMENT OF PUBLIC UTILITIES

August 5, 2008

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 International Corporation (Ohio EPA Facility ID 0448011569 Emissions Units F001, P001, P002 and P003). 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 419-936-3938.

From Toledo - an International Award Winning City!



Matthew A. Stanfield
Staff Professional Engineer

Enclosure

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

CITY OF TOLEDO

The above violation(s) may subject the violator to penalties of up to \$25,000 per violation. It is possible that a penalty may be assessed in this case. If a penalty is to be assessed, the amount will be determined after your response is reviewed.

DEPARTMENT OF PUBLIC UTILITIES

Required Actions

Within 2 weeks of receipt of this Notice of Violation, you shall:

1. Abate the violation(s) or provide for an acceptable remedy.
2. Reply in writing to this Notice of Violation. The reply shall include:
 - a. Description(s) and date(s) of action(s) taken thus far to abate the violation(s).
 - b. Description(s) and expeditious time schedule of action(s) yet to be taken to remedy the violation(s).
 - c. Description(s) of action(s) taken or to be taken to prevent recurrence of the violation(s). Your written response and any questions regarding this Notice of Violation should be directed to David A. Muir at the Division of Environmental Services, 348 South Erie Street, Toledo, Ohio 43604.

The submission of the above requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code ' 3704.06. Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

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

The fill pipe on the lime storage silo was leaking and causing visible emissions of dust. The lime was not being adequately contained in the fill line.

OAC rule 3745-31-02(A)(1) A diesel-fired rotary screener was installed without first obtaining a Permit to Install from the Ohio EPA.

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