

**HAMILTON COUNTY  
ENVIRONMENTAL  
SERVICES**

August 31, 2007

CERTIFIED MAIL -RETURN  
RECEIPT REQUESTED

L. J. Butch Cherrington  
Manager of Operations  
Complete Resources Company  
1275 East Fifth Avenue  
Columbus, Ohio 43219

RE: Warning letter for violation of Ohio Administrative Code ("OAC") rule 3745-31-05(A)(3) and Ohio Revised Code (ORC) 3704.05(C).

Dear Mr. Cherrington:

On August 28, 2007, this agency investigated a citizen's complaint regarding fugitive dust at the H. Hafner and Sons / Complete Resources Company Plant (Ohio EPA Facility ID 0125943082) located at 5445 Wooster Road in the City of Cincinnati, Hamilton County, Ohio. The investigator observed fugitive dust emissions from the rock crusher, emissions unit P001, in accordance with USEPA reference method 22 for twenty minutes, recording visible emissions of fugitive dust for greater than six minutes.

The terms and conditions of Permit to Install (PTI) 01-08946 issued to Complete Resources on 5/24/2005 and OAC 3745-31-05(A)(3) require best available control measures sufficient to minimize or eliminate fugitive dust from the rock crusher. Specifically, visible emissions must not exceed 6 minutes during any 60-minute period. emissions of fugitive dust.

Based on the investigator's observation, it is this agency's determination that the rock crusher, emissions unit P001 was operated in violation of emissions limitations established pursuant to Ohio Administrative Code rule 3745-31-05(A)(3) and the terms and conditions of Permit to Install 01-08946, in violation of Ohio Revised Code (ORC) 3704.05(C).

Please submit to this agency a corrective action plan that outlines the steps that the facility will take to bring this emissions unit into compliance with the applicable regulations and permit terms and conditions. This plan and the requested information should be submitted by **September 14, 2007**.

The violations identified above also constitute a violation of Title X, City of Cincinnati Municipal Code and the City of Cincinnati Health Department rules. Title X is enforced by the City Solicitor's Office and the City of Cincinnati Health Department rules are enforced by Hamilton County Environmental Services. The City Solicitor's Office has requested that this agency notify them of all Title X violations identified by this agency. Consequently, a copy of this Notice of Violation has been sent to the City Solicitor's Office. The City Solicitor's Office has requested that a copy of all compliance plans be forwarded to their office.

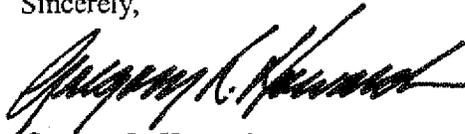
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Therefore, please send a copy of the compliance plan to the City Solicitor's Office, attn: Paula Boggs, City Hall Room 214, 801 Plum Street, Cincinnati, Ohio, 45202.

Acceptance by the Ohio EPA of a schedule for compliance does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or decline such penalties in this case will be made at a later date. Failure to comply with the requirements of this letter may result in additional enforcement action including possible referral of this case to the Office of the Attorney General..

If you have any questions, or if I can be of any assistance feel free to contact me at 946-7721.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory L. Howard". The signature is written in a cursive style with a large, sweeping initial "G".

Gregory L. Howard  
Environmental Compliance Specialist