



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

January 7, 2008

**Re: Belmont County
Crummitt & Son Vault
Facility ID #0607090139
Warning Letter**

Certified Mail #70063450000190561904

Michael Crummitt
Crummitt & Son Vault
P.O. Box 277
Martins Ferry, Ohio 43935

Dear Mr. Crummitt:

On November 29, 2007, Ohio EPA, Division of Air Pollution Control, Southeast District Office investigated a complaint about excess cement dust being emitted from the Crummitt & Son Vault facility located on North Second Street in Martins Ferry, Ohio, whenever cement is delivered. This complaint was received from an anonymous source on November 19, 2007. Mr. John Schramm represented Crummitt & Son Vault during the investigation, which was conducted to determine the facility's status of compliance with state and federal air pollution rules and regulations.

During the investigation, Ohio EPA observed a coating of cement dust on the outside of the dust collection enclosure above the cement storage area. No cement was being delivered at the time. Mr. Schramm indicated that the housing was prone to leaks, which results in the emission of cement dust to the air when cement is received. He stated that the company is planning to replace the cement handling system to eliminate this problem.

Based on observations during the investigation and a review of Ohio EPA's files on this company, the following violation of Ohio's air pollution rules has been documented:

✓ (1) **Permit-to-Operate (PTO) Application
OAC rule 3745-35-02(B)(5)**

Applications for permits to operate for new sources shall be filed no later than ninety days after commencement of operation.

In 2002, Crummitt & Son Vault replaced the original cremation incinerator (emissions unit N001; 150 pound per hour capacity) with a newer, 100 pound per hour capacity cremation incinerator. A permit-to-install, #06-06898 was issued on July 11, 2002 for the new incinerator (emissions unit N002). Although the company obtained PTOs for the older incinerator, Crummitt & Son Vault has never submitted a PTO application for the new incinerator. To resolve this violation, the company must apply for and obtain the necessary PTO for emissions unit N002. PTO application forms can be found online at <http://www.epa.state.oh.us/dapc/fops/eac/eacforms.html>.

Comments:

- (1) Crummitt & Son Vault is located in an area identified in Appendix A of Ohio Administrative Code (OAC) rule 3745-17-08. Therefore, the company is subject to OAC Rule 3745-17-08(B) which states:

No person shall cause or permit any fugitive dust source to be operated; or any materials to be handled, transported, or stored; or a building or its appurtenances or a road to be used, constructed, altered, repaired, or demolished without taking or installing reasonably available control measures to prevent fugitive dust from becoming airborne. Such reasonably available control measures shall include, but not be limited to, one or more of the following which are appropriate to minimize or eliminate visible particulate emissions of fugitive dust:

- (3) The installation and use of hoods, fans, and other equipment to adequately enclose, contain, capture, vent and control the fugitive dust. Such equipment shall meet the following requirements:
- (a) The collection efficiency is sufficient to minimize or eliminate visible particulate emissions of fugitive dust at the point(s) of capture to the extent possible with good engineering design; and
 - (b) The control equipment achieves an outlet emission rate of not greater than 0.030 grain of particulate emissions per dry standard cubic foot of exhaust gases or there are no visible particulate emissions from the exhaust stack(s), whichever is less stringent;
- (6) The periodic application of water or other suitable dust suppression chemicals, the installation of storage silos, bins or other enclosed structures, or the use of canvas or other suitable coverings, for all materials stockpiles and stockpiling operations, except temporary stockpiles and stockpiling operations for grain and grain products.

Based on the appearance of the cement storage enclosure, Crummitt & Son Vault may not be in compliance with the requirement to prevent releases of fugitive particulate emissions from its cement storage equipment. To resolve this potential violation, Crummitt & Son must investigate and implement additional control measures or install new equipment that meets the requirements of OAC rule 3745-17-08(B) as outlined above, unless the source has a potential to emit less than 10 pounds per day of particulates and is considered DeMinimis under OAC rule 3745-15-05 (copy of rule attached).

- (2) Ohio Administrative Code (OAC) rule 3745-17-08(D) specifies that any owner or operator of a facility which contains a fugitive dust source and which is located within any area identified in "Appendix A" of this rule shall submit a certification and/or application for a permit to operate that source in accordance with paragraphs (A) and (B) of rule 3745-17-04 of the Administrative Code.

Ohio EPA has never received any permit applications from Crummitt & Son Vault for the cement handling and storage equipment currently in use at this facility. In addition, the roadways at the facility are a potential source of fugitive particulate emissions, and it does not appear that this potential emissions source has been permitted.

To resolve these potential violations, Crummitt & Son Vault must evaluate these emissions sources and determine if air permits are required. In addition, installation of any new cement handling or storage facility controls may require that the company first obtain a permit-to-install. Information on evaluating your air pollution sources and obtaining air permits can be found online at <http://www.epa.state.oh.us/dapc/fops/eac/eacforms.html>. Staff in Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) is available to provide free assistance to Ohio's small businesses in understanding and complying with environmental regulations and obtaining permits. Ralph Witte is SEDO's OCAPP representative, and he should be contacted should you wish to request assistance in responding to this letter. I have enclosed contact information for Mr. Witte and an OCAPP brochure for reference.

Within 30 days of receipt of this letter, please submit to this office a compliance plan and schedule to demonstrate that Crummitt & Son has or will take actions to resolve the above-listed violation of Ohio's air pollution regulations and address the comments. 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 to pursue such penalties in this case will be made by the Ohio EPA at a later date.

If you are unable to respond to any part of this request, within the time frame discussed above, please inform us and explain so that we may be of assistance. Should you have any questions, please feel free to contact me at (740) 380-5245 or via email at kim.reinbold@epa.state.oh.us.

Sincerely,



Kimbra L. Reinbold
Division of Air Pollution Control
Southeast District Office

KLR/mlm

Enclosures

cc: Ralph Witte, OCAPP, SEDO

