



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6480
www.epa.state.oh.us

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

June 22, 2010

**RE: Jackson County
Ohio Basic Minerals
0640010102 P901, P902, P903
COMPLIANCE TEST
Notice of Violation**

Garrett Clemons
Ohio Basic Minerals, LLC
100 Whiskey Run Rd.
Richmond Dale, Ohio 45673

Dear Mr. Clemons:

On March 16, 2010, Analytical Testing Consultants, Inc. performed a particulate emissions and visible emissions compliance test at the Jackson Plant, 15317 Beaver Pike, Jackson, Ohio on the fluid bed dryer (Emissions Unit (EU) P901). Ohio EPA received the test report on April 15, 2010. The test was conducted to demonstrate compliance with the terms and conditions of permit-to-install and operate P0103781, issued on October 7, 2010, and 40 CFR Part 60, Subpart OOO. The test report has been reviewed and we have concluded that the test was conducted according to the procedures specified in 40 CFR Part 60, Appendix A, U.S. EPA Test Methods 5 and 9. The results of the test showed the EU P901 to not be in compliance with the applicable Ohio EPA regulations and your facility permit terms and conditions.

Permit requirements and test results for EU P901:

	Particulate Matter	Visible Emissions	Operating Rate	Wet Scrubber Flow Rate
Tested Emission Rate:	4.94 lbs/hr	3.2% Opacity as a 6 min. average	69 tons/hour	148.67 gal/min
Allowable Emission Rate:	2.94 lbs/hr	20% Opacity as a 6 min. average	70 tons/hour	115 gal/min

Please submit to this office, within 30 days of receipt of this letter, a plan and schedule for achieving compliance. Submit this plan to the attention of Steve Alspach.

Acceptance by Ohio EPA of a compliance plan and schedule does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Revised Code. The determination to pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

Mr. Gerrett Clemons
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Please refer any questions concerning the above requirements to Steve Alspach, Ohio EPA Southeast District Office, at (740) 380-5424.

Thank you for your cooperation in this matter.

Sincerely,



Marco Deshaies
Environmental Specialist
Division of Air Pollution Control

MD/mlm

cc: Steve Alspach, DAPC-SEDO (Emissions Unit File Copy)
Marco Deshaies, DAPC-SEDO
Test Report File Copy