



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

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2/7/12

CERTIFIED MAIL # 31 7108 2133 9932 1838 4103

February 6, 2012

Daniel Pallay
Cook & Son - Pallay Crematory
1631 Parsons Avenue
Columbus, OH 43207

Re: **Notice of Violation** based upon the emission of odors on January 20, 2012, at Cook & Son - Pallay Crematory (Facility ID 0125040833)

Dear Mr. Pallay:

Ohio EPA Central District Office (CDO) received a complaint regarding strong odors and visible emissions coming from stacks at the Cook & Son - Pallay Crematory on January 20, 2012.

Listed below are "Findings" based upon CDO conversations with facility personnel. The findings are followed by "Violation(s)" (if applicable) and "Requested Action(s)" necessary to address stated findings and violations.

1. **Finding:** Objectionable odors from a crematory stack

CDO personnel spoke with facility personnel and learned that the crematory was not operating as designed, resulting in significant visible emissions and objectionable odors.

Violations:

Operation of a crematory resulting in objectionable odors is considered a violation of Ohio Administrative Code (OAC) 3745-17-09(C) which states:

"Incinerators, including all associated equipment and grounds, shall be designed, operated, and maintained so as to prevent the emission of objectionable odors."

Violation of Ohio Administrative Code is also considered a violation of Ohio Revised Code (ORC) 3704.05(A) which states:

"No person shall cause, permit, or allow emission of an air contaminant in violation of any rule adopted by the director of environmental protection..."

Requested Action

CDO received information that the facility hired an electrician to verify the proper operation of the crematory blowers. CDO also requests information about any adjustments or repairs made to the blowers after the January 20, 2012, incident.

Central District Office
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 728 3778
614 | 728 3898 (fax)
www.epa.ohio.gov

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CDO also requests that Cook & Son - Pallay Crematory submit complete permit-to-install and operate (PTIO) applications for the crematories at the facility within thirty (30) days of receipt of this letter.

Additional Information

For compliance assistance, I encourage you to contact Dan Sowry in the Office of Compliance Assistance and Pollution Prevention (OCAPP) at (614) 728-8575 or via e-mail at dan_sowry@epa.state.oh.us. OCAPP provides free and confidential assistance to small businesses to help resolve violations and maintain compliance with Ohio EPA's rules.

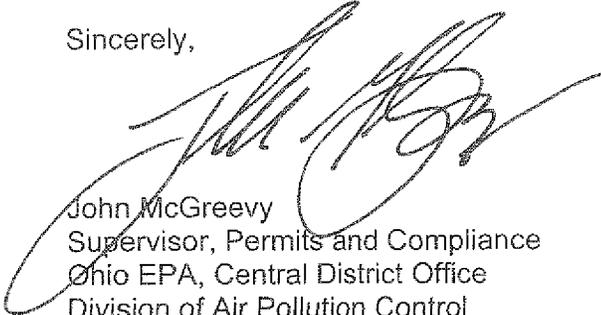
Facilities that are applying for a permit-to-install and operate may choose to submit permit applications online. Ohio EPA recently implemented an on-line permitting and reporting system called Air Services, which is accessed through the eBusiness Center. The eBusiness Center may be reached from the Ohio EPA home page at www.epa.ohio.gov or directly at ebiz.epa.ohio.gov.

If at some time in the future this facility plans to install additional air contaminant sources or modify an existing air contaminant source, please contact Ohio EPA, Central District Office to obtain the appropriate forms and discuss the applicability of any rules in question. Ohio EPA endeavors to process all applications in an expeditious manner.

Please note that Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by Ohio EPA at a later date.

If you have any questions, please contact Barbara Walker of my staff at (614) 728-3805 or barbara.walker@epa.state.oh.us.

Sincerely,



John McGreevy
Supervisor, Permits and Compliance
Ohio EPA, Central District Office
Division of Air Pollution Control

c: Adam Ward, Manager, CDO/DAPC
Kelly Toth, CDO/DAPC
Barbara Walker, CDO/DAPC
John Paulian, CO/DAPC

e: John McGreevy, CDO/DAPC