SOUTHWEST OHIO
AIR QUALITY AGENCY

3/1/2012 Certified Mail

Mr. Rodney Pierce
Heritage Environmental Services, LLC
7901 West Morris Street
Indianapolis, IN 46231

Re: NOTICE OF VIOLATION - Installation and Operation of Air Contaminant Sources Without a Permit Required by OAC Rule 3745-31-02
Facility ID: 1431004353
Heritage Environmental Services, LLC
EU ID: F003
Location: 201 Shepherd Avenue,
Lockland, OH 45215
Hamilton County

Dear Mr. Pierce:

The Southwest Ohio Air Quality Agency has learned that the facility identified above has installed and has been operating air contaminant sources prior to applying for and obtaining an Air Permit-to-Install and Operate (PTIO) from the Ohio Environmental Protection Agency (Ohio EPA).

The installation and operation of any stationary air pollution source without first applying for and obtaining a PTIO constitutes a violation of OAC rule 3745-31-02. The Ohio Administrative Code (OAC) rule 3745-31-02(A) states that *no person shall cause, permit, or allow the installation of a new source of air pollutants...without first obtaining a PTIO from the director.*

On February 22, 2012, the facility identified above submitted the necessary PTIO application forms for a new portable Grinding/Material Handling operation (F003). Please note that the 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 the Ohio EPA at a later date.

If at some time in the future this facility plans to install/modify an air contaminant source, please contact me to obtain the appropriate forms and discuss the applicability of any rules in question. Ohio EPA will endeavor to process all applications in an expeditious manner.

If you have any questions, please contact me at (513) 946-7749 or e-mail amy.kesterman@hamilton-co.org.

Sincerely,

Amy CC Kesterman

Amy Kesterman
Southwest Ohio Air Quality Agency

cc: Tom Kalman, Central Office, Ohio EPA
William MacDowell, Region 5 U.S. EPA