



**Environmental
Protection Agency**

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

Re: Fulton County
Glenn Hunter & Associates
Premise # 0326000074
Notice of Violation (NOV)

April 24, 2012

CERTIFIED MAIL

Mr. Glenn Hunter, Owner
Glenn Hunter & Associates
3672 County Road 6-1
Delta, Ohio 43515

Dear Mr. Hunter:

This letter shall serve as follow-up to the inspection conducted on April 12, 2012, of the Glenn Hunter & Associates (GHA) facility located at 1285 County Road 6 in Delta, Ohio (Facility ID 0326000074). The purpose of this inspection was to determine the validity of a complaint received on April 10, 2012, regarding fugitive dust emission coming from the facility.

Based on my discussions, my observations during the inspection, and a review of the company's files, my findings are as follows:

1. GHA operates multiple permitted crushing operations on the property, none of which were operating upon my arrival. The facility also has Permits to Install and Operate (PTIO) for the paved and unpaved roadways and parking areas (F004) as well as material storage piles and associated conveying/material handling operation (F005).
2. PTIO #P0108766, issued on December 28, 2011, requires that GHA maintain daily records, as outlined in C.4.d)(3) a.-d., regarding the roadways on site. GHA has not kept any of the required records since the issuance of the permit. Failure to keep each of the required records daily constitutes a separate violation of the terms and conditions of PTIO # P0108766 as well as Ohio Revised Code (ORC) 3704.05.
3. The facility has a water truck on site which had not been operable for at least one week prior to the inspection, but possibly significantly longer, depending on the GHA representative asked. The parts required to fix the water truck were said to be on order, however, they were reportedly not expected for several days.

GHA stated that a portable water tank was in the process of being converted to an employable unit to assist in dust control, however, that was still several days from completion as well. At the time of the inspection GHA had no means to apply water the roadway to control fugitive particulate emissions, which constitutes a malfunction of the control systems for the facility roadways. Each day GHA failed to report malfunctions of control equipment constitutes a violation of the general terms and conditions of PTIO #P0108766, Ohio Administrative Code (OAC) 3745-15-06(B) and ORC 3704.05.

4. Material from the facility roadways had been drug from the facility entrance and exit onto County Road 6 and resulted in significant volumes of visible particulate emissions and nuisance dust being suspended by passing traffic as well as the ambient wind conditions. Term C.4.b)(2)d. of PTIO #P0108766 requires that GHA promptly remove such material as to minimize or prevent re-suspension of such material. Failure to promptly remove such material constitutes a violation of term C.4.b)(2)d. of PTIO #P0108766 and ORC 3704.05.
5. While on site large plumes of visible particulate emissions were observed being produced from material handling operations on the east side of the property. It was said that a front end loader was being used in the area, however, the exact loading operation which produced the plumes was not determined and the operation was stopped for the duration of my inspection. In fact, it appeared most operations on site were stopped during my inspection. It was stated that some of the material handled on site cannot be watered while being processed, however, none of the material I observed on site had been watered. While official visible emissions readings were not conducted at the time, as discussed, the conditions represented that day made additional violations of the facility's various terms and conditions highly probable. While GHA states it "goes above and beyond" it's requirements to comply with the permit requirements, conditions that day were not reflective of such.

It was also stated at the time of the inspection that some materials processed at the facility cannot be watered because they cannot be saturated when the final product is delivered to the customer. Ohio EPA is requesting the following information be provided as to better determine compliance with the applicable permits: A site diagram indicating what operations are conducted at various locations throughout the property; a site diagram indicating the various materials stored on site during their respective stages of processing; a site diagram indicating vehicle loading and unloading areas; what materials can have water applied, and; what materials cannot have water applied and why.

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The company's written response to this letter is requested by May 28, 2012. It should be submitted to Ohio EPA, Northwest District Office and contain the information requested above and a compliance plan to remedy the observed situation and prevent this, or any similar such situation, from occurring in the future. In addition to becoming more familiar with the requirements of the applicable permits, primary issues of concern regarding the compliance plan would include, at a minimum, the following: accurately maintaining all records required under the applicable permits; making the facility's water application equipment operable and properly maintaining it; having a contingency plan in place to comply with the requirements should watering equipment become disabled (which may include equipment rental); installing and/or increasing the facility's ability to apply water to material storage piles, and; any other pertinent items the facility require addressing.

Please note that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

If the company has any questions and/or comments concerning this letter, please contact me at the above address, by calling (419) 373-3137, or via e-mail at thomas.cikotte@epa.state.oh.us.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/llr

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