Ohio Environmental Protection Agency

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

November 22, 2010

RE: **NOTICE OF VIOLATION**
COMPLIANCE STACK TEST
KOKOSING MATERIALS, INC-
COLUMBIA STATION
FACILITY ID: 0247000554
EMISSIONS UNIT: P902

CERTIFIED MAIL

Mr. Ralph Kyanko
Kokosing Materials, Inc.
P.O. Box 334
Fredricktown, Ohio 43019-9159

Dear Mr. Kyanko:

The purpose of this correspondence is to transmit the finding of the stack test conducted and witnessed by the Ohio EPA, at the aforementioned facility on September 23, 2010. The test was conducted to determine compliance with the established emissions limits in the facility wide air permit issued on June 16, 2009. A copy of the stack test report was received in this office on October 23, 2010.

After review of the stack test report submitted, the following determination of compliance was made. The table below includes the reported test results and established permit limits for emissions unit P902:

Pollutant	Permit Allowable Emission Rate	Stack Test Results
NOx	9.0 lb/hr	5.01 lb/hr
SO_2	1.2 lb/hr	0.087 lb/hr
CO	100.8 lb/hr	76.08 lb/hr
PE	11.4 lb/hr	2.47 lb/hr
VOC	20.7 lb/hr	53.41 lb/hr

Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087-1924

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The following emissions were determined to be in compliance with the established allowable permit limits: NO_X, SO_2, CO, and PE, while the VOC limit was determined to be outside the required permit limitation.

Please be advised that this facility is currently in violation of the VOC allowable emission rate and that is a violation of Section 3704.05 of the Ohio Revised Code and the specific terms and conditions of the facility wide air permit. The agency is requesting that within 14 days of receipt of this correspondence that he following information be submitted:

- An explanation, if one has been determined, of the cause of the failure to comply with the established allowable VOC emissions rate; and

- A compliance plan and schedule to correct the problem(s) which may have been responsible for the failure to comply, including the specific steps that will be taken and a date for a proposed re-test of this emissions unit.

Please be advised that the submissions of the requested information in no way constitutes a waiver of Ohio EPA's authority to seek civil penalties, as provided in Section 3704.06 of the Ohio Revised Code. A determination as to pursue such penalties in this case will be made by the Ohio EPA at a later date.

This notice does not excuse any violation of federal, state, and/or local laws or regulations regarding air pollution control at this facility. Failure to respond to this correspondence within the specified time frame may result in further enforcement actions.

Should you have any questions or concerns about this correspondence, please contact me at (330) 963-1229.

Sincerely,

Richard Smith

Richard Smith
Environmental Engineer
Division of Air Pollution Control

RS:bo

pc: Misty Koletich, DAPC/NEDO
Tim Fischer, DAPC/NEDO
Tom Kalman, DAPC/CO
Bill MacDowell, U.S. EPA Region V