



**Environmental
Protection Agency**

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

Re: Erie County
Ohio Concrete Crushing Ltd.
Premise No. 0322950001
Notice of Violation (NOV/non-HPV)

June 14, 2012

CERTIFIED MAIL

Mr. Scott Lauber
Ohio Concrete Crushing Ltd.
12300 Strecker Road
Bellevue, Ohio 44811

Dear Mr. Lauber:

The Ohio EPA received Ohio Concrete Crushing Ltd. (OCC) Intent to Relocate a Portable Source on March 13, 2012. OCC was issued a Relocation Approval by the Ohio EPA on March 16, 2012. On May 30, 2012, Ms. Miranda Garlock and Mr. Mohammad Smidi of the Ohio EPA, Division of Air Pollution Control (DAPC) visited the proposed relocation site located at 44 Cleveland Road in Huron, Ohio and witnessed the Portable Source in operation.

Based upon my inspection and review of the facility file, the following conclusions have been reached:

1. Under the requirements of the Approved Relocation of the Portable Facility, once the equipment has been relocated, the Ohio EPA DAPC, Northwest District Office, must be notified of the move by completing and mailing the Portable Plant Relocation Confirmation form. Because this form has not yet been received and it has been witnessed that the Portable Source has been relocated, OCC is in violation of OAC rule 3745-31-03(A)(1)(p). OCC is required to submit the Portable Plant Relocation confirmation form as soon as possible to correct this violation.
2. OCC is required to use water to control dust and maintain a log of when and how much water was used for each day in accordance with permit obligations. On the day of the site inspection, no water suppression was being utilized to control fugitive dust emissions. The Ohio EPA did not conduct Method 9 or Method 22 readings on fugitive dust during the inspection because fugitive emissions during the inspection did not appear to exceed opacity restrictions. However, it should be noted that the facility has agreed to use water suppression as a control method for fugitive dust. Therefore, the Ohio EPA requests OCC provide information regarding the availability of water to this location.

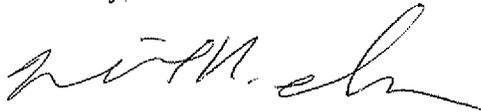
3. Upon the review of the facility file, OCC currently operates under a Permit to Install [(PTI) 03-16375] issued on July 26, 2005. Part 1 of the General Terms and Conditions of the PTI, number 13, indicate that the permittee shall submit a complete operating permit application within ninety days after commencing operation of the emissions units covered by this permit. Facility files indicate that a Permit to Operate (PTO) application has not been received from OCC. Because a PTIO application has not been received to date, OCC is in violation of OAC rule 3745-31-02, OAC rule 3745-35-02 (rescinded 6/30/2008), and Ohio Revised Code 3704.05. Therefore, the facility is required to submit updated applications for all contaminant sources. A complete application for each air contaminant source would include a PTIO application (form 3150a), the appropriate Emissions Activity Category (EAC) form for your operations, a process flow diagram, and emission calculations in order to correct this administrative violation. Permit application forms can be downloaded from the following link on Ohio EPA's website:
<http://www.epa.ohio.gov/dapc/fops/eacforms.aspx>.
4. OCC received a NOV dated August 13, 2010, from the Ohio EPA. The NOV requested the following:
 - a. OCC was to submit annual reports that identify the amount of material processed through the feeder in tons per year. To date the amount of material processed through the feeder in tons per year has not been reported since 2005.
 - b. OCC was to submit deviation reports as required under the General Terms and Conditions of PTI 03-16375. To date, no deviation reports have been received since 2005.

OCC is required to submit the information detailed above no later than July 16, 2012. Please be advised that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC Section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a late date.

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Should you have any questions or comments concerning this letter, please feel free to contact me at (419) 373-3069 or electronically at Miranda.Garlock@epa.ohio.gov.

Sincerely,



Miranda R. Garlock
Division of Air Pollution Control

/llr

pc: DAPC-NWDO File
Certified Mail Receipt Number 7009 1410 0001 1834 3501

ec: Miranda Garlock, NWDO, DAPC
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