



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

July 14, 2007

RE: NOTICE OF VIOLATION FOR
OPERATING IN EXCESS OF PERMIT
ALLOWABLE EMISSION LIMITATIONS
FOR PARTICULATE EMISSIONS
DAPC FACILITY ID: 02 85 00 0099

CERTIFIED MAIL

Mr. Gary Radabaugh
D & R Supply, Inc.
18228 Fulton Road
Marshallville, OH 44645

Dear Mr. Radabaugh:

The purpose of this letter is to discuss the results of the compliance testing performed at D & R Supply, Inc. in Marshallville, Ohio on June 11, 2008. The testing was performed to determine actual emissions of particulate emissions (PE). Please pass along a thank you to your staff for the cooperation exhibited and for providing all requested information while the testing was being performed.

This office received the testing results on July 11, 2008. The test was performed under isokinetic conditions and the methodology used appears to be acceptable. The production rate during the test averaged 116.3 tons/hr, which is within 90% of the maximum capacity of the plant (120 tons/hr).

The results of the testing indicate that the actual mass rate of emission of PE is 0.110 gr/dscf, over twice as much as the allowable emission limit of 0.04 gr/dscf. This is also much higher than the results from the previous failed stack test. This exceedence is a violation of the terms and conditions of permit-to-install (PTI) 02-16897, Subpart I of 40 CFR, Part 60 [New Source Performance Standards (NSPS)], and Ohio Revised Code (ORC) 3704.05(A) and (C).

D & R Supply, Inc. recently purchased a used baghouse to replace the wet collector system. While on site, I was told that the baghouse was not inspected by a professional prior to operation. It appears that there is some sort of problem with the baghouse such as bag tears.

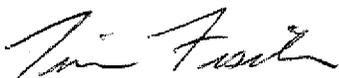
MR. GARY RADABAUGH
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Please submit a compliance plan and schedule detailing the steps which will be taken to come into compliance with the PE emission limitation. Please submit this plan to my attention at the Northeast District Office of Ohio EPA, **within twenty-one (21) days of receipt of this letter**. This plan should include any corrective actions to be taken as well as a scheduled date for additional stack testing.

Failure to comply with the above requests may result in further enforcement action up to and including a referral to the Central Office of Ohio EPA for appropriate action. The submission of the requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date.

Should you have any questions regarding this matter, please feel free call me at (330) 963-1270.

Sincerely,



Tim Fischer
Environmental Specialist
Division of Air Pollution Control

TF:bo

ec: Dennis Bush, Ohio EPA, DAPC, NEDO
Ed Fasko, Ohio EPA, DAPC, NEDO

cc: Bob Princic, Ohio EPA, DAPC, NEDO
Lisa Holscher, U.S. EPA, Region 5
Tom Kalman, Ohio EPA, DAPC, CO