



**Environmental
Protection Agency**

John R. Kasich, **Governor**

Mary Taylor, **Lt. Governor**

Scott J. Nally, **Director**

Re: Wood County
Chambers Leasing Systems
8699 South Dixie Highway
Rudolph, Ohio 43462
Notice of Violation (NOV/non-HPV)

May 2, 2012

CERTIFIED MAIL

Mr. Edman H. Lee IV, President
Chambers Leasing Systems
3100 Summit Street
Toledo, Ohio 43611

Dear Mr. Lee,

This letter shall serve as a follow-up to a complaint investigation conducted on April 23, 2012, at the above-referenced facility. An e-mail was sent to your attention on April 24, 2012, regarding a complaint registered against Chambers Leasing Systems (herein referred to as CLS) for dust from the facility's unpaved roadway that occurred on April 20, 2012. In terms of any complaint, the inspector's duty is to determine whether the complaint is considered valid or not.

During the investigation, a US EPA Method 22 visible emission observation was conducted at CLS. The weather conditions were dry and wind conditions were between 16-22 mph. During the time of observation which lasted 14 minutes, there was 6 minutes and 25 seconds of visible emissions from CLS's unpaved roadway.

CLS was issued a final Permit to Install and Operate (PTIO) #P0105115 on October 28, 2009. The Best Available Technology (BAT) requirement set forth in the PTIO requires CLS to have no more than three minutes of visible particulate emissions during any sixty minute observation period. BAT also requires CLS to treat the unpaved roadways with water and/or chemical stabilization in order to ensure compliance with that requirement. The investigation deems CLS in violation of the visible emissions requirement, as well as not employing BAT measures to minimize or eliminate emissions of fugitive dust. The failure to meet the visible emission limitation and employ BAT are violations of P0105115 and ORC 3704.05.

In order to resolve this violation, Ohio EPA requests a compliance plan be submitted and implemented by no later than June 2, 2012, in order to ensure that the facility is fully adhering to the requirements in the PTIO.

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Additionally, Ohio EPA requests that watering and chemical stabilization records for the months of March and April of this year be included with the compliance plan. Finally, Ohio EPA is requiring CLS to fax to the Northwest District Office, to my attention, daily watering records as had been done last year in order for compliance to be monitored for the next four weeks. Faxing of this information should commence upon receipt of this NOV.

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 later date.

If you have any questions and/or concerns regarding this letter, feel free to contact me at (419) 373-3118 or by e-mail at mohammad.smidi@epa.state.oh.us.

Sincerely,



Mohammad Smidi
Environmental Specialist
Division of Air Pollution Control

/llr

pc: DAPC-NWDO File
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ec: Jennifer Jolliff, DAPC-NWDO
Tom Kalman, DAPC-CO
William MacDowell, US EPA Region V