



Environmental
Protection Agency

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

CERTIFIED MAIL # 91 7108 2133 3932 1838 3069

July 5, 2012

Dave Carpenter
Scioto Ready Mix Plant #52
6214 Taylor Road SW
Pataskala, OH 43062

Re: **Notice of Violation** based upon visible emissions on June 12, 2012,
at Scioto Ready Mix Plant #52 (Facility ID 0125042202)

Dear Mr. Carpenter:

Ohio EPA Central District Office (CDO) received a complaint regarding particulate emissions from Scioto Ready Mix Plant #52 on June 12, 2012.

Listed below are "Findings" based upon CDO observations and conversations with facility personnel. The findings are followed by "Violation(s)" (if applicable) and "Requested Action(s)" necessary to address stated findings and violations.

1. **Finding:** Visible emissions of fugitive dust from the cement silo

CDO personnel received a complaint regarding fugitive emissions from the facility on June 12, 2012. Upon arrival on-site, CDO personnel observed visible emissions from the outlet of the cement silo and during the delivery of material to the silos.

Violations

Continued unloading of material from a delivery vehicle when visible emissions are observed is a violation of number 5 of the Additional Special Terms and Conditions of Permit-to-Install (PTI) 01-4952 which states:

"Any visible emissions of cement emanation from the delivery vehicle shall be cause for the immediate halt of the unloading process and the refusal of the cement load until the situation is corrected."

Violation of the terms and conditions of PTI 01-4952 is also considered a violation of Ohio Revised Code (ORC) 3704.05(C) which states:

"No person who is the holder of a permit ... shall violate any of its terms or conditions."

Visible emissions from the outlet of the cement silo is a violation of the terms and conditions of PTI 01-4952 which states:

"The cement silo vent shall be adequately enclosed and vented to a fabric filter. ... The fabric filter shall achieve an outlet emissions rate of 0.020 grains of particulate emissions per dry standard cubic foot of exhaust gases or there shall be no visible emissions from the outlet, whichever is greater."

Violation of the terms and conditions of PTI 01-4952 is also considered a violation of ORC 3704.05(C).

Requested Action

CDO received information that bags had been replaced within the baghouse on June 13, 2012. CDO requests information on the inspection and maintenance schedule for the cement silo baghouse. This information should be provided to Ohio EPA within thirty (30) days of receipt of this letter.

2. **Finding:** Failure to submit a permit-to-operate application

No permit to operate application has been submitted to Ohio EPA for the Scioto Ready Mix Plant #52.

Violation

Failure to submit a permit to operate application is a violation of the terms and conditions of PTI 01-4952 which states:

"A Permit to Operate application must be submitted to the appropriate field office for each air contaminant source in this Permit to Install. In accordance with OAC Rule 3745-35-02, the application shall be made at least 90 days prior to start-up of the source."

Violation of the terms and conditions of PTI 01-4952 is also considered a violation of ORC 3704.05(C).

Requested Action

CDO requests that Scioto Ready Mix submit a complete permit to operate application within thirty (30) days of receipt of this letter.

Additional Information

For compliance assistance, I encourage you to contact Dan Sowry in the Office of Compliance Assistance and Pollution Prevention (OCAPP) at (614) 728-8575 or via e-mail at

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dan.sowry@epa.ohio.gov. OCAPP provides free and confidential assistance to small businesses to help resolve violations and maintain compliance with Ohio EPA's rules.

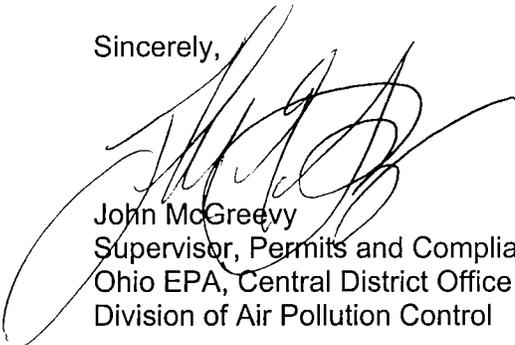
Facilities that are applying for a permit-to-install and operate may choose to submit permit applications online. Ohio EPA recently implemented an on-line permitting and reporting system called Air Services, which is accessed through the eBusiness Center. The eBusiness Center may be reached from the Ohio EPA home page at www.epa.ohio.gov or directly at ebiz.epa.ohio.gov.

If at some time in the future this facility plans to install additional air contaminant sources or modify an existing air contaminant source, please contact Ohio EPA, Central District Office to obtain the appropriate forms and discuss the applicability of any rules in question. Ohio EPA endeavors to process all applications in an expeditious manner.

Please note that the Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by the Ohio EPA at a later date.

If you have any questions, please contact Barbara Walker of my staff at (614) 728-3805 or barbara.walker@epa.ohio.gov.

Sincerely,



John McGreevy
Supervisor, Permits and Compliance
Ohio EPA, Central District Office
Division of Air Pollution Control

Enclosures

c: Adam Ward, Assistant Chief, CDO/DAPC

e: John McGreevy, Supervisor, Permits and Compliance, CDO/DAPC
Kelly Toth, Supervisor, Permits and Compliance, CDO/DAPC
Barbara Walker, CDO/DAPC
John Paulian, CO/DAPC

