



Environmental
Protection Agency

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

CERTIFIED MAIL # 91 7108 2133 3932 1838 3052

July 11, 2012

Todd Dragna
Central Ready Mix of Ohio, LLC
P.O. Box 70
Monroe, OH 45050

Re: **Notice of Violation** at Central Ready Mix of Ohio, LLC (Facility ID 0125042446)

Dear Mr. Dragna:

Ohio EPA Central District Office (CDO) received a complaint regarding fugitive dust emissions from Central Ready Mix of Ohio, LLC (Facility ID 0125042446) on June 21, 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:** Fugitive dust emissions

CDO inspectors observed visible emissions coming from the facility impairing visibility on North Wilson Road in Columbus, Ohio. CDO inspectors also observed dragout from the facility on June 21, 2012.

Violation

Fugitive emissions from the facility is a violation Part II.A.1. of the terms and conditions of permit-to-install (PTI) 01-08626 which states:

"Best available control measures shall be sufficient to minimize or eliminate visible emissions of fugitive dust."

Dragout of material from the facility onto public roadways is a violation of Part II.A.2.h of PTI 01-08626 which states:

"The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means."

Violation of the terms and conditions of PTI 01-08626 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."

Requested Action

CDO requests Central Ready Mix of Ohio, LLC immediately comply with all terms and conditions of their permit. CDO requests copies of inspection logs for the past four (4) months for paved and unpaved roadways and parking areas 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 Central Ready Mix of Ohio, LLC.

Violation

Failure to submit a permit to operate application is a violation of the terms and conditions of PTI 01-08626 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 01-08626 is also considered a violation of ORC 3704.05(C).

Requested Action

CDO requests that Central Ready Mix of Ohio, LLC 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 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.

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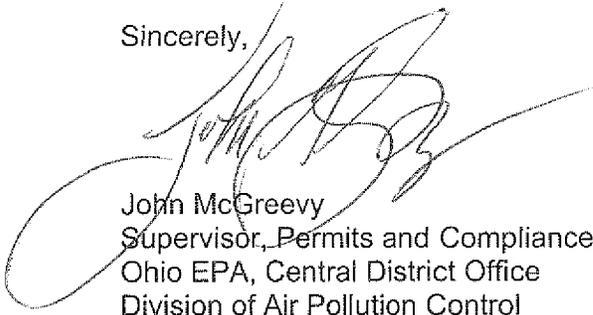
Facilities that are applying for a permit-to-install and operate may choose to submit permit applications online. Ohio EPA recently implemented an on-line permitting and reporting system called Air Services, which is accessed through the eBusiness Center. The eBusiness Center may be reached from the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

c: Adam Ward, CDO/Administration

e: John McGreevy, CDO/DAPC
Kelly Toth, CDO/DAPC
Barbara Walker, CDO/DAPC
John Paulian, CO/DAPC
Amber Finkelstein, CO/PIC