

 SOUTHWEST OHIO
AIR QUALITY AGENCY

June 5, 2012

Certified Mail

Steve Schweitzer
Newtown Fill Ltd.
700 West Pete Rose Way
Cincinnati, OH 45203

Re: NOTICE OF VIOLATION - Installation and Operation of Air Contaminant Sources
without a Permit Required by OAC Rule 3745-31-02

Facility ID: 1431343956
Emissions Unit(s): Powerscreen Warrior 1800 Screener and MGL Recycling Pick Line
NEWTOWN FILL LTD.
Location: 7960 MAIN ST., S.R. 32,
Newtown, OH 45244
Hamilton County

Dear Steve Schweitzer:

The Southwest Ohio Air Quality Agency has learned that the facility identified above has installed and has been operating an air contaminant sources prior to applying for and obtaining an Air Permit-to-Install and Operate (PTIO) from the Ohio Environmental Protection Agency (Ohio EPA).

The installation and operation of any stationary air pollution source without first applying for and obtaining a PTIO constitutes a violation of OAC rule 3745-31-02. The Ohio Administrative Code (OAC) rule 3745-31-02 (A) states that *no person shall cause, permit, or allow the installation of a new source of air pollutants...without first obtaining a PTI from the director.*

Please submit all necessary permit applications within 30 days of receipt of this letter. It is the understanding of this Agency that this operation is no longer in operation. If Newtown Fill LTD does not plan on operating this source anytime in the future, please submit that commitment to the Agency within 30 days of receipt of the letter.

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 at some time in the future this facility plans to install/modify an air contaminant source, please contact the Agency to obtain the appropriate forms and discuss the applicability of any rules in

250 William Howard Taft Road, Cincinnati, Ohio 45219 • www.SouthwestOhioAir.org 

A division of the Hamilton County Department of Environmental Services • Serving Butler, Clermont, Hamilton and Warren counties

Steve Schweitzer
NEWTOWN FILL LTD.
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question. Ohio EPA will endeavor to process all applications in an expeditious manner.

If you have any questions, please contact me at 513-946-7738 or E-mail kerri.castlen@hamilton-co.org. You may also wish to contact the Office of Compliance Assistance and Pollution Prevention at 1-800-329-7518.

Sincerely,

A handwritten signature in black ink that reads "Kerri Castlen". The signature is fluid and cursive, with the first name "Kerri" being more prominent than the last name "Castlen".

Kerri Castlen
Area Supervisor
Southwest Ohio Air Quality Agency

cc: Bruce Weinberg, Central Office, Ohio EPA
William MacDowell, Region 5 U.S. EPA