



AKRON REGIONAL AIR QUALITY MANAGEMENT DISTRICT

Agent of the Ohio Environmental Protection Agency • Division of the Akron Health Department
Serving Medina, Portage and Summit Counties

TELEPHONE: (330) 375-2480
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L. M. Malcolm, P.E.
Administrator

August 13, 2010

CERTIFIED MAIL
High Priority Violator
General Criterion 7

Mr. Mark A. Winters
Tallmadge Asphalt/Paving Company, Inc.
741 Tallmadge Road
Brimfield, OH 44240

Dear Mr. Winters:

RE: NOTICE OF VIOLATION

Our records indicate that emissions testing was performed at your 741 Tallmadge Road facility in Brimfield, Ohio (facility ID 1667000081) on or about May 18, 2010, involving emissions unit P901, the Barber Green batch model 937 hot mix asphalt plant. As of this date, there is no record of any report submitted for such emissions testing. I tried to contact you by e-mail regarding this situation, but had not received a reply as of yet.

Please be advised that the currently effective permit requires comprehensive written reports to be submitted within 30 days following completion of the testing in the testing requirements section of the terms and conditions for emissions unit P901. Failure to submit test reports within the required time frame is a violation of Part II – Special Term and Condition E.1 of Permit to Install (PTI) number 16-02436, as issued final effective April 12, 2007 (see third paragraph of portion of referenced permit enclosed).

Please submit the above referenced report within fourteen (14) days from the receipt of this letter. The submission of the requested reports does not constitute a waiver of the authority of either the Ohio Environmental Protection Agency (Ohio EPA) or US EPA to seek penalties in this matter. The decision to pursue, or decline to pursue, additional enforcement action in this case will be made at a later date.

Keep in mind that this determination is based upon a site visit and preliminary review of available records. It does not ensure that you have been or will continue to operate in compliance and in no way limits any liability if violations are discovered for this time period.

If you have any questions, please contact me.

Sincerely,

Frederick J. Kramer
Air Quality Engineer

Enclosures

c: Mr. Frank Markunas, ARAQMD
Mr. Russell Risley, ARAQMD
Mr. Tom Kaiman - Ohio EPA, DAPC
Ms. Lisa Holscher - US EPA

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