



**Environmental
Protection Agency**

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

CERTIFIED MAIL # 91 7108 2133 3932 1838 2512

September 6, 2012

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

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

Dear Mr. Dragna:

Ohio EPA Central District Office (CDO) sent a Notice of Violation (NOV) dated July 11, 2012, and a second NOV dated August 8, 2012, to Central Ready Mix of Ohio, LLC regarding fugitive dust emissions and the failure to submit a timely permit-to-operate (PTO) application. Ohio EPA received another complaint on August 21, 2012, regarding fugitive dust emissions coming from the facility. The fugitive dust violations cited in prior Notices of Violation are ongoing and Central Ohio Read Mix does not appear to be taking sufficient steps to abate them.

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 dragout coming from the facility on North Wilson Road in Columbus, Ohio, on August 21, 2012. A CDO inspector observed the placement of metal "rumble strips" on-site. However, the inspector observed truck drivers driving their vehicles around the rumble strips to avoid driving over the strips and dragging material onto the roadways. The CDO inspector observed a sweeper to be located at the facility. The inspector did not see any water line or tank associated with the sweeper while on-site to ensure that use of the sweeper would promptly remove dragout from the facility and public roadways while not entraining the dust in the air.

Violation

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 the facility immediately comply with the terms and conditions of their issued permit. On July 11, 2012, CDO requested that Central Ready Mix of Ohio, LLC submit copies of inspection logs for the past four (4) months for paved and unpaved roadways and parking areas and a permit-to-operate application. On August 7, 2012, CDO requested that Central Ohio Ready Mix of Ohio, LLC submit a plan and schedule which clearly demonstrates how the facility will comply with the terms and conditions of their permit. At this time, the requested information has not been received by Ohio EPA. CDO requests that the facility provide the requested documents within fourteen (14) days of receipt of this letter.

2. **Finding:** Unpermitted installation of an air contaminant source

CDO inspectors observed the installation of a second Central Mix Ready Mix Concrete Batch Plant on August 24, 2012.

Violation

The installation and operation of an air contaminant source without first obtaining a permit-to-install and operate (PTIO) is considered a violation of Ohio Administrative Code (OAC) 3745-31-02(A) which states:

"No person shall cause, permit, or allow the... installation, or modification and subsequent operation of any new source ... without first obtaining a PTIO from the director."

Violations of OAC 3745-31-02 are 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 that Central Ready Mix of Ohio, LLC compile an inventory of air contaminant sources and their potential emissions to determine if permits-to-install and operate (PTIOs) are required. If a PTIO is required, please submit a complete PTIO application for that equipment within thirty (30) days of receipt of this letter.

Todd Dragna
Central Ohio Ready Mix of Ohio, LLC
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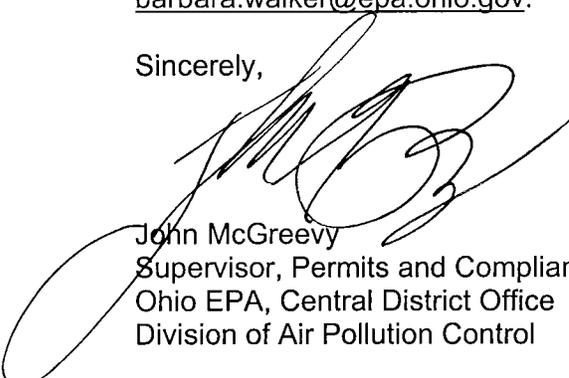
If Central Ready Mix of Ohio, LLC determines that a PTIO is not required for any air contaminant source, please provide CDO information demonstrating why that air contaminant source does not need a PTIO, including all guidance, calculations, references, assumptions, and supporting documents.

Additional Information

Be aware 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,

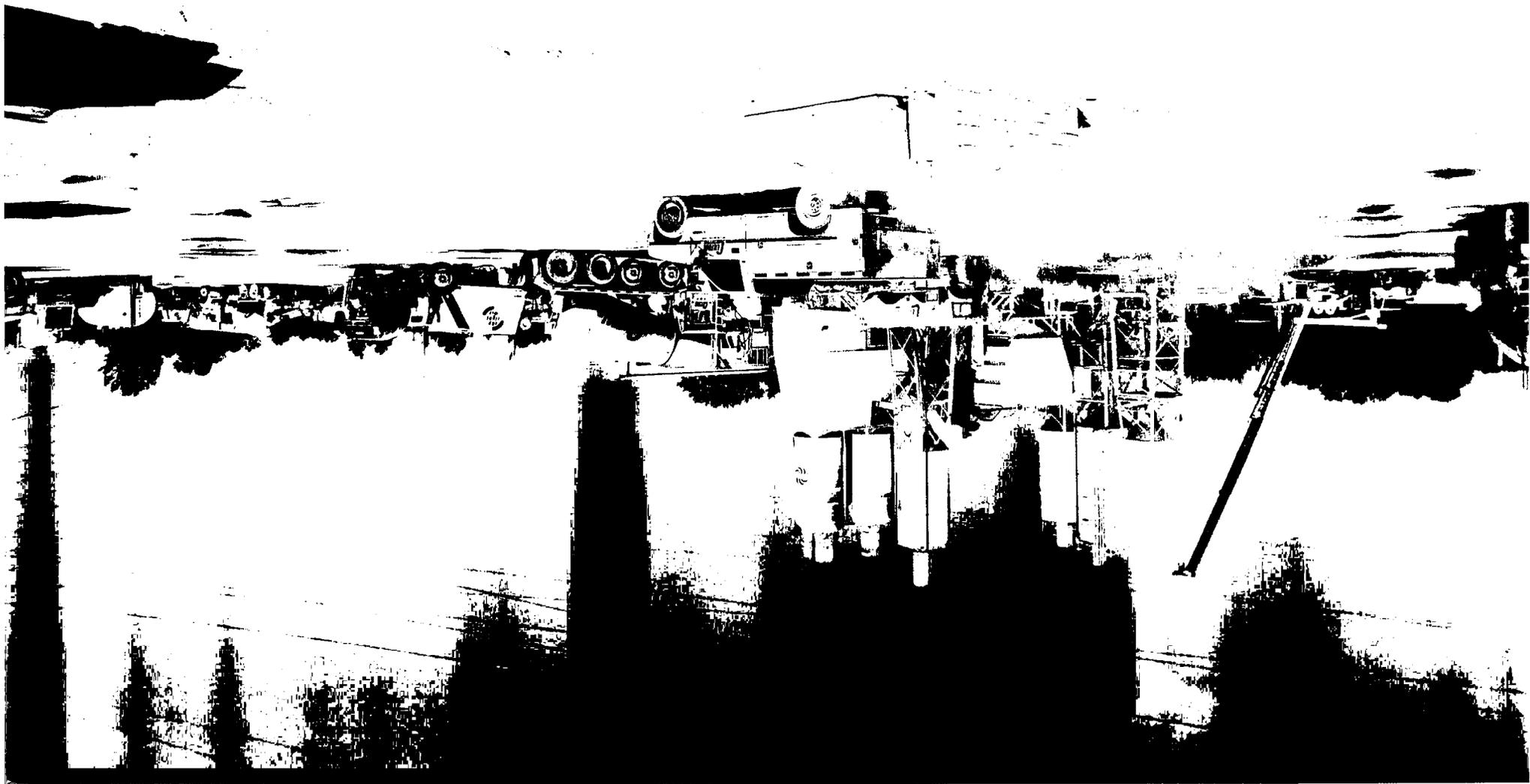


John McGreevy
Supervisor, Permits and Compliance
Ohio EPA, Central District Office
Division of Air Pollution Control

Enclosures

- c: Adam Ward, CDO/Administration
- e: John McGreevy, CDO/DAPC
Kelly Toth, CDO/DAPC
Barbara Walker, CDO/DAPC
John Paulian, CO/DAPC
Amber Finkelstein, CO/PIC

8/2/2012



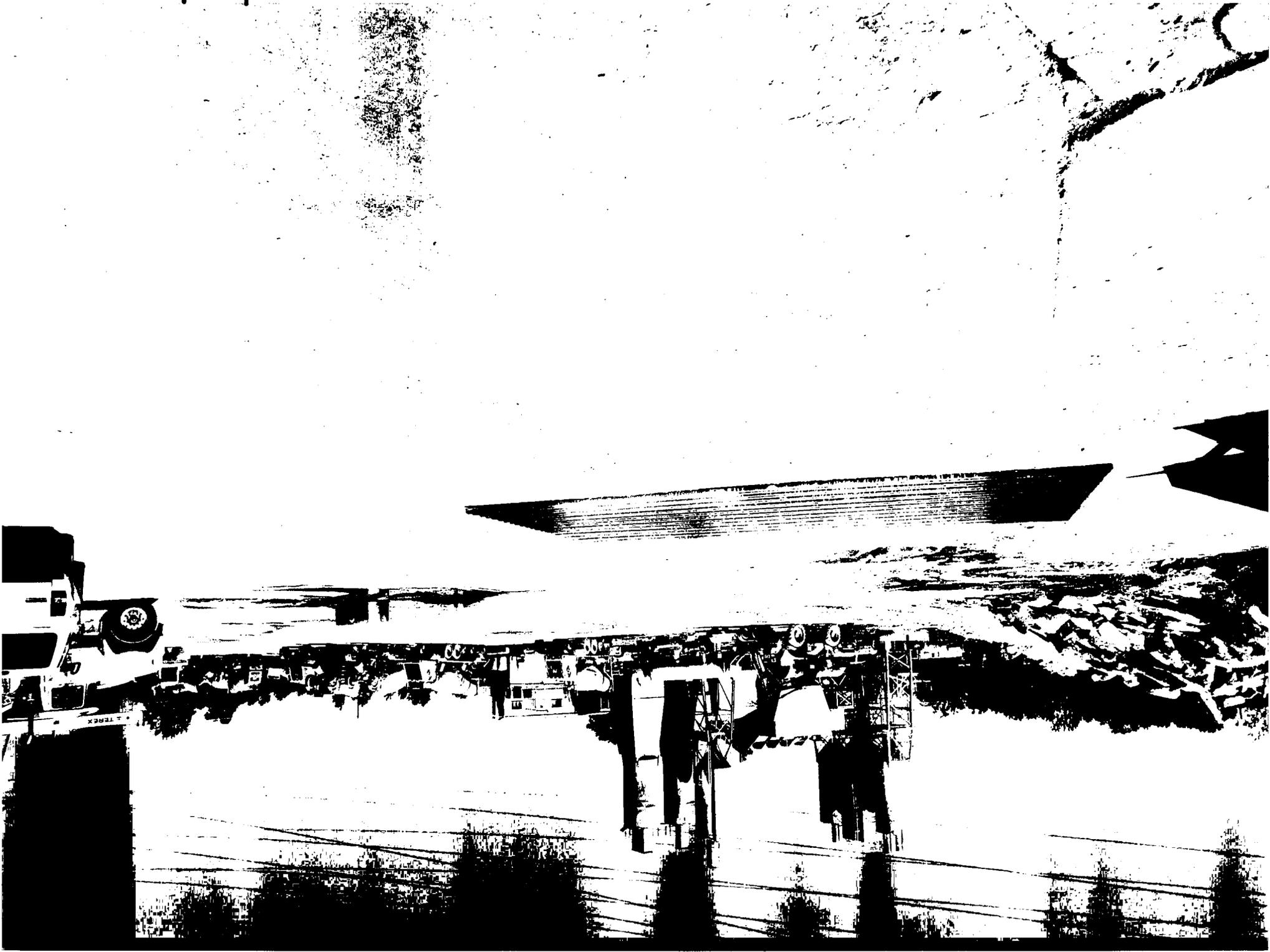
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