

Environmental  
Protection Agency

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

August 6, 2012

RE: INSPECTION FOLLOW-UP LETTER  
NOTICE OF VIOLATION  
ALLIED CORP. PLANT NO. 74  
DAPC FACILITY ID # 0250001000

**CERTIFIED MAIL**

Ms. Beth Mowrey  
Vice President of Environmental  
Allied Corp. Plant No. 74  
PO BOX 266  
Thornville, OH 43076

Dear Ms. Mowrey:

The purpose of this letter is to provide you with a follow-up regarding the facility inspection of Allied Corp. Plant No. 74 on July 24, 2012 and July 26, 2012. The purpose of the inspection was to ensure that all emissions units within your facility are in compliance with all applicable air pollution regulations. **A response letter from your office is expected within 30 days of this letter.**

It was observed during the inspection that a brand new counterflow asphalt plant was just recently installed without first applying for and obtaining a permit-to-install-operate (PTIO) from Ohio EPA, as required in Ohio Administrative Code (OAC) rule 3745-31-02(A)(1).

OAC rule 3745-31-02(A)(1) states the following:

*Except as provided in rule 3745-31-03 of the Administrative Code, no person shall cause, permit, or allow the:*

- a. *Installation or modification of any new source that is, or will be, part of a facility, as defined in Chapter 3745-77 of the Administrative Code, and that is required to obtain a Title V permit under Chapter 3745-77 of the Administrative Code, without first obtaining a permit-to-install from the director; or*
- b. *Installation or modification, and subsequent operation of any new source that is not part of a facility, as defined in Chapter 3745-77 of the Administrative Code, and that is not required to obtain a Title V permit under Chapter 3745-77 of the Administrative Code, without first obtaining a PTIO from the director; or*
- c. *Operation of any air contaminant source, ....etc.*

Since your new asphalt plant is operating without an issued air permit, your plant is operating in violation of this rule. In addition, based on the maximum operating hours per year of 8,760, certain criteria pollutant emissions (such as carbon monoxide, sulfur dioxide, etc.) from your plant have the potential to exceed 100 tons per year which classifies Allied Corp. Plant No. 74

as a major source, and, thereby, makes the plant subject to Title V permitting requirements. Should this be the case you are required to submit, a Title V permit application.

Per OAC rule 3745-31-05, you may avoid being subject to Title V permitting requirements by obtaining a Synthetic Minor permit. With this type of an air permit, you are voluntarily restricting the plant's annual emissions to below Title V threshold. Should you elect to avoid being subject to Title V permitting requirements, you are required to submit a Synthetic Minor Permit application.

You are hereby required to submit all necessary air permit applications pertaining to the brand new asphalt plant **within 30 days of this letter**. You may submit your air permit applications via e-Business Center: Air Services.

Please be advised that failure to apply for and obtain PTIO permit will force this office to refer Allied Corp. Plant No. 74 to our Central Office for a possible enforcement action.

Violations of state air pollution regulations are punishable by civil penalties of up to twenty-five thousand dollars (\$25,000) per violation. The issuance of this notice in no way excuses past violations of any federal, state and local law(s) regarding air pollution.

Should you have any questions, please do not hesitate to call me at (330) 963-1273.

Sincerely,



Ed Perez  
Environmental Specialist  
Division of Air Pollution Control

EP/cs

- cc: Ed Fasko, Ohio EPA, DAPC, NEDO  
Tim Fichser, Ohio EPA, DAPC, NEDO  
Misty Koletich, Ohio EPA, DAPC, NEDO  
Lisa Holscher, U.S. EPA, Region 5  
Bruce Weinberg, Ohio EPA, DAPC, CO

POSTAGE WILL BE PAID BY ADDRESSEE	
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Postmark Here	
7/13	
Sent To	
Street, Apt. No., or PO Box No.	
City, State, Zip+4	

2668 2E6E 0000 060E 0T02