



**Environmental
Protection Agency**

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

Re: Fulton County
Glenn Hunter & Associates
Premise # 0326000074
Notice of Violation (NOV) &
Return to Compliance (RTC)

September 13, 2012

CERTIFIED MAIL

Mr. Glenn Hunter, Owner
Glenn Hunter & Associates
3672 County Road 6-1
Delta, Ohio 43515

Dear Mr. Hunter:

This letter shall serve as follow-up to the inspection conducted on August 20, 2012, of the Glenn Hunter & Associates (GHA) facility, located at 1285 County Road 6 in Delta, Ohio, by Mr. Chad Winebrenner and this writer. The purpose of this inspection was to determine the compliance status of all air contaminant emissions units located there and to conduct sampling of various emissions units.

Based on my discussions, my observations during the inspection, and a review of the company's files, my findings are as follows:

1. Permit-to-Install and Operate (PTIO) P0108766 was issued on December 28, 2011. Monitoring and recordkeeping requirements for emissions unit P903 (Mixing and weighing – in Main Crush building, with baghouse) require that daily checks are done for visible emissions from the baghouse stack and for fugitive visible emissions from the building. Records required are identified in the permit, in terms C.10.d)(2) a.-c. and C.10.d)(3) a.-e. These records were found to be incomplete, as they were missing the information required in the above terms on days where the baghouse was known to have been malfunctioning and producing visible emissions. These dates include, at least May 25, 2012, through June 7, 2012. It is because of inaccurate recordkeeping that the dates and extent of the deviations and malfunctions cannot be accurately determined. Failure to properly maintain these records is a violation of the terms and conditions of permit number P0108766 and a separate violation of Ohio Revised Code (ORC) 3704.05.

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However, as of the inspection on August 20, 2012, discussions of the recordkeeping requirements identified what was needed to bring the facility's records into compliance and it was to be implemented the next day. Accordingly, the company has resolved the above mentioned violations and has returned to compliance.

2. All other emissions units at the facility appeared to be in compliance with state and federal regulations.
3. Samples were collected from three locations on the property. A separate sample was taken from each of the collection bags on the baghouses serving P901, P902 and P903. Those samples have been sent for analysis of the presence of multiple heavy metals and their respective quantities. This is being done to more accurately determine possible rule applicability with Ohio's air toxics regulations. Ohio EPA will share those results after we have had an opportunity to review them and determine applicability.

Also, regarding sampling, while on site for a complaint investigation on May 24, 2012, Ms. Annabella Troiano and I collected three samples from the property and one from a complainant's property. Sample one was dust collected from the hood of a recently repainted vehicle which was stationary on site for over a week. Sample two was material taken from the ground in front of the south overhead door of the main crush building. Sample three was taken from the edge of the top cover of the collection hopper used on P903. Sample four was taken from the unpaved parking area near the site office and worker break area shelter house. Sample one was not able to be taken in a bulk sample and was collected on a glass slide with two sided tape. Samples two through four were collected on two sided tape as well as in bulk. The samples were examined beneath a dissecting microscope to compare characteristics such as color and gross morphology. The results of those samples have been attached and are interpreted by this office to conclude that materials found on the complainants' property are the same as those found on GHA's property and originated from GHA, justifying their complaint of nuisance dust.

The company's written response to this letter is requested by October 12, 2012. It should be submitted to Ohio EPA, Northwest District Office and contain a compliance plan to remedy the observed situation and prevent this, or any similar such situation, from occurring in the future. Also, please provide a copy of the modified daily checklist for P903 implemented by GHA to resolve the above mentioned violations.

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Also, for purposes of clarity, Ohio EPA would like to identify the length of the known malfunction in question. Mr. Hunter had stated on May 25, 2012, that the issues with the baghouse had been occurring since approximately May 16, 2012, that new bags had already been ordered and were to be installed. Along with the above required written response, please indicate what date the new bags for P903 were received, what dates the bags were installed and on what date the malfunctions stopped, returning the unit to compliance. Please provide copies of any documentation supporting those dates, such as purchase orders, invoices, completed work orders, etc.

Please note that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

If the company has any questions and/or comments concerning this letter, please contact me at the above address, by calling (419) 373-3137, or via e-mail at thomas.cikotte@epa.state.oh.us.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/llr

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