



Environmental Protection Agency

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

Re: Huron County
0339020175
Stack Test
HPV-GC8
Notice of Violation

September 27, 2012

CERTIFIED MAIL

Mr. Charles Riley
Riley Materials
151 Akron Road
Norwalk, Ohio 44857

Dear Mr. Riley:

Riley Materials (0339020175) is currently permitted under Permit to Install and Operate (PTIO) P0108345, issued April 26, 2012. The stack test conducted on July 27, 2012, on Ohio EPA emissions unit No. P901 (150 TPH Drum Hot Mix Asphalt Plant), has been reviewed. The testing was conducted in conformance with Ohio EPA methods and procedures. Our review confirms the following reported data is accurate:

**Critical Test Data
(In Three Run Averages)**

Pollutant	Actual Emission Rate	Allowable Emission Rate	Source Operating Rate	Maximum Source Operating Rate ^a
PM	0.0056 gr/dscf 0.0044 lb/ton asphalt	0.03 gr/dscf 0.033 lb/ton asphalt	143.7 TPH	150 TPH
NO _x	0.016 lb/ton asphalt	0.026 lb/ton asphalt	143.7 TPH	150 TPH
SO ₂	0.04 lb/ton asphalt	0.0034 lb/ton asphalt	143.7 TPH	150 TPH
CO	0.028 lb/ton asphalt	0.15 lb/ton asphalt	143.7 TPH	150 TPH
VOC	0.29 lb/ton asphalt	0.10 lb/ton asphalt	143.7 TPH	150 TPH
Opacity	0% opacity	< 20% opacity	143.7 TPH	150 TPH

During the test, the plant was burning natural gas and the baghouse pressure drop was within the range of 4-6 inches of water, which met the requirement that it be between 2 and 12 inches of water.

^a Maximum Source Operating Rate (MSOR) is defined as the condition that is most likely to challenge the emission control measures with regards to meeting the applicable emission standard(s). Although it generally consists of operating the emissions unit at its maximum material input/production rates and results in the highest emission rate of the tested pollutant, there may be circumstances where a lower emissions loading is deemed the most challenging control scenario. Failure to test at the MSOR is justification for not accepting the test results as a demonstration of compliance.

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The compliance demonstration for PM, NOx, CO and opacity is acceptable and satisfies the compliance demonstration requirements contained in the PTIO.

The asphalt plant was being operated in violation of its allowable emission rates for SO₂ and VOC (violation of the Permit to Install P0108345 term and condition C.1.b.(1)(a), OAC rule 3745-31-05(D), and Ohio Revised Code 3704.05). It will therefore be necessary to retest this unit or take other appropriate action to achieve compliance with the applicable emission limitations.

This office is requesting that the facility submit a written response to this letter which includes, at a minimum, a compliance plan and schedule. The facility is required to submit this information by no later than **October 12, 2012**. Please note that the submission of the requested information to respond to this letter does not constitute a waiver of the 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.

Please be aware that if in the future Riley Materials uses a design mix that would result in a higher level of emissions it will be necessary to retest.

Please contact me as soon as possible regarding this matter at (419) 373-3134. Thank you.

Sincerely,



Wendy Licht
Division of Air Pollution Control

/cg

pc: Robert Teer, DAPC-NWDO
DAPC, NWDO Stack File
Follow-up File
Certified Mail Receipt Number 70091410000118345840

ec: Bruce Weinberg, DAPC-CO
William MacDowell, US EPA, Region V
Mark Budge, DAPC-NWDO
Jennifer Jolliff, DAPC-NWDO
Robert Teer, DAPC, NWDO
Tom Sattler, DAPC, NWDO
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