



**Environmental
Protection Agency**

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

Re: Seneca County
Carmeuse Lime
Premise #0374000010
Inspection follow-up letter
Notice of Violation (NOV/HPV-
GC9)

September 28, 2012

CERTIFIED MAIL

Ms. Stacey Rader, Regional Environmental Manager
Carmeuse Lime – Maple Grove Facility
1967 West County Road 42
P. O. Box 708
Bettsville, Ohio 44815

Dear Ms. Rader:

This letter shall serve as a follow-up to the partial and unannounced compliance inspections conducted on July 17, 2012, and August 16, 2012, by Mohammad Smidi of the Division of Air Pollution Control (DAPC) and the full announced compliance inspection by Miranda Garlock and Jan Tredway of DAPC conducted on September 12, 2012, at the above-referenced facility. The purposes of these inspections were to determine the compliance status of all air contaminant emissions units located at the facility with the rules and regulations of the DAPC.

It should be noted that five emission units (P001, P003, P903, P905, and P906) were not in operation during the full compliance inspection conducted on September 12, 2012, and could not be evaluated. However, of these five emission units, three of them (P001, P003, and P905) were observed to be in operation during either the July 17, 2012, and/or August 16, 2012, partial compliance inspections. The only two emission units not observed to be in operation during any of the three inspections conducted were P903 and P906; therefore, the compliance status of these units could not be determined. The compliance status of the remaining emission units were evaluated against permit requirements currently established under the Title V Permit to Operate P0087667 issued January 29, 2004, and Permit to Install (PTI) P0104549 issued July 15, 2009. No violations were noted associated with emissions units observed in operation during the site inspection conducted on September 12, 2012; however, violations associated with emission units F001 and P905 were observed during both inspections conducted on July 17, 2012 and August 16, 2012.

Based on discussions with you, Mr. Michael Klenda, and Mr. Bob Prystaloski, DAPC's observations during the inspections, a review of the facility records, as well as, a review of the company's files at the Northwest District Office (NWDO), the following summarizes our findings:

1. Carmeuse Lime – Maple Grove (herein referred to as CLMG) was issued Notice of Violation (NOV) letters dated September 30, 2010, August 24, 2011, February 17, 2012, and September 7, 2012. To date, a formal response to these NOV letters has not been submitted by CLMG, and the facility remains in noncompliance status until those issues have been addressed. It should be noted that CLMG provided an updated diagram detailing the roadways and parking areas it is responsible for watering and maintaining, as well as, an updated number of vehicles miles traveled per year for both paved and unpaved roadways to DAPC personnel during the September 12, 2012, inspection. In addition, CLMG provided a partial response to the NOV issued February 17, 2012, via two emails received on February 27, 2012, and February 29, 2012. The remaining items addressed in the NOV letters dated September 30, 2010, August 24, 2011, February 17, 2012, and September 7, 2012, remain unresolved.

CLMG must provide a formal response to past NOV violations that remain unresolved.

2. During partial site inspections conducted on July 17, 2012, and August 16, 2012, the lime kiln dust (LKD) handling operations (identified and permitted as emissions unit P905), which is associated with the pug mill, were witnessed by DAPC personnel. DAPC personnel observed opacities which appeared to exceed permit limits during the loading process and collected photographic evidence of the excessive emissions observed on August 16, 2012. DAPC did not conduct Method 22 or Method 9 readings during the partial inspections because of insufficient time available to conduct readings during the emission's unit time in operation and the emission's unit location in regards to the direction of the sunlight during the inspection times. TV Permit limitations established for P905 include no visible emissions from the building enclosure, 7% opacity from the baghouse stack, and 10% opacity from transfer points and loading operations. Even though Method readings could not be conducted, visible emissions were observed by DAPC personnel leaving the building enclosure, which is an exceedence of permit limitations. In addition, visible emissions from the LKD truck load out appeared excessive and demonstrated that the baghouse and Midwest spout were not operating efficiently, as supported by the photographic evidence collected.

CLMG indicated during the September 12, 2012, inspection that the baghouse serving the LKD truck load out (D189) and its associated Midwest spout are not functioning properly and will be replaced shortly. Flow rates to the baghouse have been affected; therefore, the top hatches on the trucks being loaded are left open to increase air flow. As observed during the inspection, the process of leaving the truck hatches open to increase air flow created an excess amount of fugitive emissions from the loading operation. In addition, the Midwest spout's malfunction allowed LKD dust to be spilled onto the ground surface after the truck had been loaded which also created excess fugitive emissions.

Based on the observed exceedences of opacity restrictions from this emission unit during loading operations, this emissions unit is being operated in violation of the Best Available Control Technology (BACT) as required by PTI 03-13527 issued final on October 14, 2003, and the Title V P0087667 issued January 29, 2004.

CLMG is required to follow OAC rule 3745-15-06 for reporting malfunctions and is required to recalculate emissions from P905 to address the lack of control provided by the baghouses and Midwest spout. CLMG must provide an estimated time frame to correct ongoing equipment issues. CLMG should submit revised fee emission reports, as applicable, which reflect the actual amount of fugitive emissions generated from this unit during the time frame control equipment on this unit has been malfunctioning.

3. During the two unannounced inspections conducted on July 17, 2012, and August 16, 2012, water was not observed on the CLMG's roadways (emission unit F001) upon initial inspection and arrival to the facility by DAPC personnel. Watering occurred during both site visits toward the end of each site visit. DAPC did not conduct Method 22 readings on fugitive dust during the inspections because roadways had been watered before Method 22 readings could be conducted. However, based on the amount of dust observed coming from the unwatered roadways before watering activities occurred, it is likely fugitive emissions may have exceeded opacity restrictions. It should be noted that PTI P0104549 issued for F001 on July 15, 2009, limits the fugitive particulate emissions (PE) to 2.3 tons/year. CLMG submitted the 2010/2011 FER with actual PE emissions of 5.05 tons/year of PE in 2010 and 3.1 tons/year of PE in 2011 from F001. Therefore, CLMG is in violation of the emission limitation established in PTI P0104549.

CLMG is required to modify PTI P0104549 by updating the emission calculations for its roadways and parking areas to be reflective of actual site conditions.

4. During the inspection conducted on August 16, 2012, CLMG was found in violation of Ohio Administrative Code (OAC) rule 3745-17-08(B)(9) and Ohio Revised Code (ORC) §3704.05 that requires “the prompt removal, in such a manner as to minimize or prevent resuspension, of earth or other material from paved streets onto which earth or other material has been deposited by trucking or earth moving equipment or erosion by water or other means”. A dragout trail from CLMG’s entrance way stretched onto County Road 42 that had not been cleared even after watering events had occurred on CLMG grounds the day of the inspection. CLMG provided an updated diagram detailing the roadways and parking areas it is responsible for watering and maintaining to DAPC personnel during the September 12, 2012, inspection. Based on the diagram, the entranceway and its maintenance would be the responsibility of CLMG.

CLMG must identify how it plans to address dragout issues from its facility’s entranceway from impacting public roadways (County Road 42).

5. As previously recorded in the September 30, 2010, inspection letter, several unpermitted temporary stockpiles are located on the CLMG property which are not currently permitted under emission unit F002 (stockpiles) under PTI 03-13527 issued final on October 14, 2003, and the Title V P0087667 issued January 29, 2004. As you are aware, the facility has submitted a permit modification application to address these unpermitted stockpiles. Ohio EPA is in the process of drafting a permit to address these additional stockpiles as discussed in the September 12, 2012, inspection. It should be noted that visible emissions were not observed from these unpermitted stockpiles during the three site visits conducted in 2012. However, the following concerns were noted:
 - a. The LKD pile located along the north side of the pug mill building enclosure was very dry, was not covered, and did not appear to have been watered. The current PTI for LKD piles on the facility grounds requires LKD piles to be completely saturated and partially covered to reduce emissions by a 99% control efficiency which is not being applied to these unpermitted temporary LKD piles.
 - b. Both kiln lime cleanout chutes (the north and the south) were observed during the September 12, 2012 inspection. No piles were noted underneath these chutes on the day of the inspection. However, according to CLMG, limekiln is released to the ground surface from the chutes to create piles that are later removed by trucks. The drop height of the chute to the ground surface was at least 15 feet above ground surface.

Based on the amount of drop height between the chute opening and the ground surface below, the possibility for excessive fugitive visible emissions to occur during unloading of the chutes is highly likely. Therefore, CLMG indicated that provisions would be made to decrease/limit the drop height of the chutes to address Ohio EPA concerns.

- c. Roadways leading to the surge coke pile and adjacent roadways were covered with coke. The facility should be applying best management practices by trying to avoid spreading this material onto roadways which may result in increased emissions.

Issues observed by DAPC personnel related to unpermitted stockpiles on site, will be addressed in the final permit and will require CLMG to apply appropriate control measures to reduce possible emissions from these stockpiles.

6. Additional permitting issues were noted during the full compliance inspection conducted on September 12, 2012. Below is a list of issues that were identified and are not currently addressed or accounted for in CLMG's current permits or submitted permit modifications:
 - a. The truck dump pit associated with P901 is not currently included as part of this emission unit.
 - b. Conveyors T218 and C219 associated with F003 are both located outside and are not completely enclosed.
 - c. Conveyor C135.1 associated with P902 is only partially enclosed.
 - d. Conveyors C138 and C139 associated with P903 are only partially enclosed.
 - e. There are two stone feed conveyors, C119 and C219, that are associated with P001 and P002 respectively, that are not fully enclosed and portions of each conveyor are located outside the building.

No visible emissions were observed from the emissions units/transfer points discussed above including 6(a) through 6(c) and 6(e) during the September 12, 2012 inspection. However, visible emissions were observed during the August 16, 2012, inspection from Conveyors C138 and C139 associated with P903.

The TV permit identifies this transfer point as fully enclosed and therefore the opacity limitation from this transfer point is no visible emissions. However, as discussed in 6(d) above, these conveyors are only partially enclosed. Based on the presence of visible emissions observed from this transfer point, P903 is being operated in violation of the Best Available Control Technology (BACT) as required by PTI 03-13527 issued final on October 14, 2003, and the Title V P0087667 issued January 29, 2004.

Title V P0087667 issued January 29, 2004, and PTI 03-13527 issued final on October 14, 2003, should be modified to include the missing information listed above. Currently, emission calculations for the facility and BACT are based on the complete enclosure of conveyors which provide a capture efficiency of 100 percent; however, several partially enclosed and fully exposed conveyors were identified during the full compliance inspection as noted above. Additionally, fugitive emissions created from the outside truck dump pit associated with P901 have not been calculated and are not currently accounted for as part of the facility's overall emissions.

7. Current permits assume building enclosures associated with emission units P903, P904, and P905 provide sufficient control to produce negligible visible emissions. However, during the inspections, the enclosures surrounding these three emission units were caked with a fine white/light gray powder on the inside and outside of all three building enclosures. In addition, piles approximately 12 to 24 inches in height of the white/light gray fine powder were observed on the ground surface along the inside and outside of each of the three building enclosure edges. Building enclosures associated with emission units P903, P904, and P905 are two sided enclosures each equipped with Midwest spouts and associated baghouses. The two sided building enclosures do not extend to the ground surface and allow for at least a 24 inch gap between the building's edge and the ground surface. DAPC inquired during the September 12, 2012, inspection as to how and why the possible buildup of the fine powder near these site buildings might have been generated. According to CLMG, buildup of this material is the result of historically poor housekeeping practices which have not yet been addressed. Specifically, historical spills have occurred associated with P904 operations as the result of over loading trucks and spills are occurring associated with P905 operations as a result of the malfunctioning Midwest spout and baghouse D189. In addition, during the September 12, 2012, inspection, a fine white powder was created during grinding and conveying operations located within the truck load out building associated with P904 that was accumulating inside the building. CLMG did not appear to be maintaining emissions from the grinding and conveying operations inside this building which could likely result in excess emissions being released from the building's egress points.

CLMG indicated that it has begun to clean up historical spills on the property and plans to attend to the spills observed during the inspection shortly. DAPC is concerned that the amount of dry and fine powered material located within, on, and around the buildings and the lack of housekeeping practices to remove and control this material in a timely manner is creating the presence of exceedences of fugitive emission limitations as specified in the current permits. In addition, it is hard to discern what amount of this fine powder is attributable to historical spills and poor housekeeping or what may be attributable to an ongoing equipment/process issue. Therefore, CLMG must identify how it plans to address housekeeping issues in the future and provide an estimated time frame for the completion of the cleanup efforts.

8. DAPC reviewed the facility's monitoring and record keeping requirements as they pertain to the current Title V P0087667 issued January 29, 2004, and PTI P0104549 issued July 15, 2009. Monitoring and record keeping requirements were reviewed on the facility's computer from October 1, 2010, through September 12, 2012. Based upon the review of CLMG records, CLMG appears to be in compliance with its monitoring and record keeping requirements. However, it should be noted that the NOV issued on February 17, 2012, to CLMG indicated that visible emission inspections were not conducted on several days during the fourth quarter of 2011 and the facility was not using its water truck during the winter months of 2011 to control fugitive dust. CLMG provided a response to this NOV via two emails received on February 27, 2012, and February 29, 2012.
9. According to PTI P0104549, emission unit P906 (the transloader) is applicable to NSPS, Subpart IIII. The subpart was only incorporated into the permit by reference with the intent to add more detailed requirements to the Title V renewal permit. It is the facility's responsibility to determine which provisions of the rule apply to P906 and to verify compliance with the NSPS Subpart. To date, CLMG has not submitted any NSPS notifications or reports for this emissions unit. NWDO does not have the details necessary to determine which provisions of the rule apply to P906. Please review the rule and provide the following items to NWDO:
 - a. a detailed summary of the applicable provisions (written or by reference); and
 - b. a detailed summary of any notifications, testing requirements, and/or reports that are past due.

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The company's written response to this letter is requested by no later than thirty (30) days from the date of this letter. It should be submitted to Ohio EPA, NWDO and contain a compliance plan to remedy the observed compliance issues.

It is anticipated that the compliance plan provided by CLMG will provide the following:

- A formal response to past violations that remain unresolved;
- A formal explanation regarding the malfunction of baghouse D189 and the Midwest spout associated with P905. This should also include recalculated emission factors from the time period that this unit has been malfunctioning;
- An estimated time frame in which the submittal of a permit modification for F001 to update emission calculations to be reflective of current site conditions will be provided;
- A formal explanation of how CLMG will address dragout from its entranceway from impacting public roadways;
- An estimated time frame in which the submittal of permit modifications to include open or partially open conveyors associated with F003, P902, P903, P001, and P002 and the truck dump pit associated with P901;
- A formal explanation of how CLMG plans to address former and current housekeeping issues and provide an estimated time frame for the completion of cleanup efforts related to historical spills and poor housekeeping practices; and
- Summary of applicable NSPS requirements associated with P906 and any notifications, testing requirements, and/or reports that are past due.

Upon the receipt and review of the compliance plan, DAPC will arrange a scheduled meeting with CLMG to discuss outstanding permit issues and the compliance plan provided.

Please be advised 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 §3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

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Should you have any questions and/or comments regarding this letter, please contact me at (419) 373-3069 or Mohammad Smidi at (419) 373-3118, or by email at Miranda.Garlock@epa.ohio.gov or Mohammad.Smidi@epa.ohio.gov.

Sincerely,



Miranda Garlock
Environmental Specialist
Division of Air Pollution Control



Mohammad Smidi
Environmental Specialist
Division of Air Pollution Control

/lr

ec: Miranda Garlock, DAPC-NWDO
Mohammad Smidi, DAPC-NWDO
Andrea Odendahl, DAPC-NWDO
Jan Tredway, DAPC-NWDO
Jennifer Jolliff, DAPC-NWDO
Bruce Weinberg, DAPC-CO
William MacDowell, US EPA Region V
Michael Klenda, Michael.Klenda@carmeusena.com
Stacey Rader, Stacey.Rader@carmeusena.com
Bob Prystaloski, Bob.Prystaloski@carmeusena.com

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