



**SOUTHWEST OHIO
AIR QUALITY AGENCY**

October 31, 2012

Certified Mail

Mr. Doug Evans
Evans Landscaping Inc.
4229 Round Bottom Rd.
Cincinnati, OH 45244

Re: NOTICE OF VIOLATION - Installation and Operation of Air Contaminant Sources
Without a Permit Required by OAC Rule 3745-31-02

Facility ID: 1431344222
Evans Landscaping Inc.
Location: 4229 Round Bottom Rd
Anderson Township, OH 45244
Hamilton County

Dear Mr. Evans:

On October 25, 2012, Southwest Ohio Air Quality Agency conducted a facility site visit at the Evans Landscaping Inc. facility, (Ohio EPA Facility ID 1431344222) located at 4229 Round Bottom Rd. in Anderson Township, Ohio in response to information that a Portable CD&D screener for a recycling operation and subsequent material handling process had been installed and operated at the facility. During the inspection, the agency established that a Power Screen Warrior 1800 Screener had been installed at the facility as well as several portable conveyor belts for material handling. During that site visit, discussions with yourself and Mr. Tony Muto revealed that the process has been in operation.

The installation and operation of any stationary air pollution source without first applying for and obtaining a Permit to Install and Operate (PTIO) constitutes a violation of OAC rule 3745-31-02. The Ohio Administrative Code (OAC) rule 3745-31-02 (B) states that no person shall cause, permit, or allow the installation of a new source of air pollutants...without first obtaining a PTIO from the director.

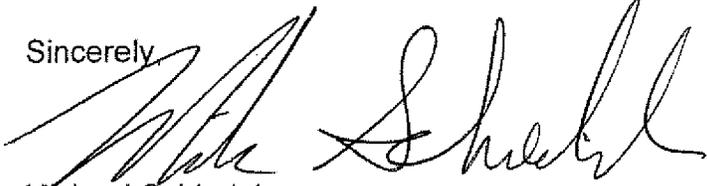
In order to address these violations, this agency requires Evans Landscaping Inc. to submit an application for a PTIO and a compliance plan detailing actions the facility will take to come into compliance. This compliance plan shall include, but not be limited to, corrective actions that Evans has taken or will take to avoid such violations in future along with the time line of when these actions are to take place. Please submit the compliance plan to this agency by November 30, 2012. Acceptance of a plan and/or schedule for compliance does not constitute a waiver of authority to seek civil penalties as provided in section 3704.06, of the Ohio Revised Code.



Please note 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 me at 513-946-7716 or e-mail mike.schierloh@hamilton-co.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Schierloh". The signature is fluid and cursive, with the first name "Mike" written in a slightly larger, more prominent script than the last name "Schierloh".

Michael Schierloh
Environmental Compliance Specialist
Southwest Ohio Air Quality Agency

cc: Bruce Weinberg, Central Office, Ohio EPA
William MacDowell, Region 5 U.S. EPA
Paul Drury, Anderson Township