



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

March 12, 2013

RE: **NOTICE OF VIOLATION**
ODOR NUISANCE
DETREX CORP./ ELCO CORP.
FACILITY ID: 0204000417

CERTIFIED MAIL

Mr. Thomas W. Steib
Detrex/ Elco Corp.
1100 State Rd.
Ashtabula, Ohio 44004

Dear Mr. Steib:

The Ohio EPA Northeast District Office (NEDO) continues to receive citizen complaints alleging strong burnt sulfur odors in the area of State Rd., Middle Rd. Through our odor hotline and the Ashtabula Township Fire Department (ATFD) dispatcher, we received six odor complaints between Sunday and Monday (March 3-4).

Representatives from Ohio EPA, Division of Air Pollution Control, have periodically conducted odor surveillance in the area and have come to the conclusion, based on wind data and odor detection, that the odors are coming from your facility. Specifically, odors attributed to the facility have been detected on February 8, 11, 13, 14, 20 and March 4, 2012. DAPC inspectors spoke visited Detrex on March 4, and detected odors in the parking lot and adjacent to the production building similar to those noted offsite. In our discussion with you at your office, you stated that there were no spills, releases, deviations or malfunctions that would have caused the odors. However, you stated that there were various connections and adjustments being made to the newly-installed thermal oxidizer which we observed in operation. It is possible that these activities could be the cause of or have contributed to, the odor release of March 3-4. Odors were also detected on March 7, 2013 and you were informed of the odors that day during an inspection of the facility by Ohio EPA personnel.

In view of the above facts, this letter is to inform you that the operations conducted at Detrex/Elco Corp. in Ashtabula Township are causing an odor nuisance in violation of Ohio Administrative Code Rule 3745-15-07, "Air Pollution Nuisances Prohibited," of which paragraph (A) states:

"Except as provided in paragraph (B) of this rule, the emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, odors, or any other substances or combination of substances, in such a manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property, is hereby found and declared to be a public nuisance. It shall be unlawful for any person to cause, permit or maintain any such public nuisance."

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In order to move toward compliance with this rule, Detrex/Elco Corp. must immediately employ any and all measures necessary to control odors from this facility.

Within fourteen (14) days from receipt of this letter, please submit to this office a written plan of action, both ongoing and proposed, to mitigate odors. The submittal should include a schedule for returning to compliance, including dates by which corrective measures will be implemented. Ohio EPA may request detailed plans on the specific control measures at a later date.

Please be advised that acceptance by Ohio EPA of any compliance plan does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the Ohio Revised Code (ORC) Section 3745.06. The determination to pursue further action will be determined by Ohio EPA at a later date.

Failure to correct the above violations and to operate this facility in accordance with all applicable state air pollution laws and rules will result in a referral to DAPC's Enforcement Committee for enforcement consideration.

If you have any questions regarding the matters discussed in this letter, please contact the undersigned at (330) 963-1241 or Bob Princic at (330) 963-1230.

Sincerely,



Richard Kolosionek
District Representative
Division of Air Pollution Control

RK:bo

pc: Ed Fasko, OEPA, DAPC
Tim Fisher, OEPA, DAPC
Bob Princic, OEPA, DAPC
Christine McPhee, OEPA, DAPC
Bruce Weinberg, DAPC, CO
Ray Saporito, Ashtabula County Health Dept.
Brian Dickens, U.S. EPA, Region 5
J.J. Justice, U.S. EPA - Westlake
Chief Mike Fitchet, Ashtabula Township Fire Dept.
Chief Ron Pristera, Ashtabula City Fire Dept.