

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

April 16, 2013

CERTIFIED MAIL

Mr. Douglas Lozier
Asphalt Materials, Inc.
5400 West 86th Street
PO Box 68123
Indianapolis, Indiana 46268

Re: RESOLUTION OF VIOLATION
Facility ID: 0448020044
Asphalt Materials, Inc. – Oregon Plant
940 N Wynn Road
Oregon, Ohio 43616

Dear Mr. Lozier:

This letter is in response to the Notice of Violation (NOV) issued to the above referenced facility on March 4, 2013. In the NOV, a compliance plan and schedule for achieving compliance was requested from the facility. The subsequent plan was received on March 18, 2013 and the appropriate steps were taken to bring the source(s) into compliance. The following information summarizes the violations cited, and the resolution of each.

Air permit renewal applications were not submitted for emissions units T006, T008 through T033, T035, and T037, T038, and T040 prior to the permit expiration date of February 20, 2013. Permit renewal applications were submitted on March 13, 2013 and received on March 18, 2013. It was indicated in the permit renewal applications that the above-identified tanks qualify for permitting exemptions under OAC rule 3745-31-03(A)(1)(I).

With the corrective actions taken to bring the source(s) into compliance, as indicated above, the referenced violations are considered resolved. Please note, however, that this does not preclude Ohio EPA's authority from seeking civil penalties pursuant to ORC section 3704.06 for these violations. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements.

If you have any questions, please feel free to contact me at 419-936-3938.

Sincerely,

Matthew A. Stanfield
Staff Professional Engineer

Enclosure

cc: Karen Granata
John Paulian, Ohio EPA
Brian Dickens, U.S. EPA Region 5

Timothy D. Murphy, Commissioner
DIVISION OF ENVIRONMENTAL SERVICES
Quilter Environmental Center

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