

June 20, 2024



Public Utilities
Environmental Services

348 S. Erie St.
Toledo, Ohio 43604
phone 419-936-3015
fax 419-936-3959

⇒ toledo.oh.gov

Mr. Charles Stansley
Rocky Ridge Development
3793 Silica Road
Suite B
Sylvania, OH 43560

Re: Rocky Ridge Development LLC -
Angola Road Site
Notice of Violation (NOV)
Air Permit
Lucas County
0448012011

Subject: Notice of Violation

Via Electronic Mail

Dear Mr. Stansley:

On June 17, 2024 Toledo Environmental Services (TES) received a complaint regarding fugitive dust emissions from vehicle traffic on roadways at the Rocky Ridge Development LLC – Angola Road Site located at 4004 Angola Road in Toledo. On June 17 TES personnel visited the 4004 Angola Road site to investigate the complaint.

Findings

Rocky Ridge Development LLC – Angola Road Site was issued Permit-to-Install and Operate P0130181 by Ohio EPA Division of Air Pollution Control on May 11, 2021 for mineral extraction operations, roadways, and storage piles. On Jun 17, 2024 TES personnel met Rocky Ridge Development personnel and conducted visible emissions observations on an unpaved roadway using Method 22 of 40 CFR Part 60, Appendix A-7.

1. **Ohio Revised Code 3704.05(C):** *“No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions.”*

Ohio Administrative Code 3745-17-07(B)(5) and PTIO P0130181, Section C.2.b)(1)c.: *“There shall be no visible particulate emissions from any unpaved roadway or parking area except for a period of time not to exceed thirteen minutes during any sixty-minute observation period”.*

- (a) Method 22 visible emissions observations conducted by TES personnel resulted in visible emissions being present for 14 minutes and 13 seconds during a thirty-minute observation period.
- (b) Requested action: Within 30 days of receipt of this letter, Rocky Ridge Development LLC shall submit a compliance plan to Toledo Environmental Services which will address how the facility will address the violations identified above.

TES requests that Rocky Ridge Development LLC promptly undertake the necessary measures to return to compliance with Ohio’s environmental laws and regulations. Within 30 days of receipt of this letter, please provide, to TES, the documentation requested above. If



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you have already resolved the violations listed above thank you, and please provide documentation supporting compliance. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate.

If circumstances delay resolution of violations, Rocky Ridge Development LLC shall submit written correspondence describing the steps that will be taken and dates when compliance will be achieved. Please note that the submission of any requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek administrative or civil penalties as provided in Section 3704.06 of the Ohio Revised Code.

Thank you for your time and cooperation and if you have any questions, please do not hesitate to contact Taylor Harrell by phone at (419) 936-3966 or by e-mail at taylor.harrell@toledo.oh.gov.

Sincerely,

Taylor Harrell 

Taylor Harrell
Environmental Specialist

TH/rlb

cc: Abed A. Semaan, Commissioner, TES
Karen Granata, TES
Leslie Kovacik, Toledo Law Department
Josh Koch/Zach Peterson, DAPC/CO
Brian Dickens, U.S. EPA Region 5