

OHIO E.P.A.

DEC 27 2010

BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

Oglebay Norton Industrial Sands, Inc.  
2446 Glass Rock Road  
Glenford, Ohio 43739

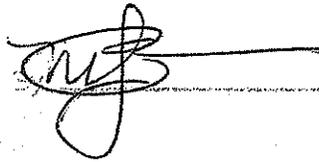
**Respondent**

Director's Final  
Findings and Orders

I certify this to be a true and accurate copy of the  
official documents as filed in the records of the Ohio  
Environmental Protection Agency.

**PREAMBLE**

It is agreed by the parties hereto as follows:



Date: 12.27.2010

**I. JURISDICTION**

These Director's Final Findings and Orders ("Orders") are issued to Oglebay Norton Industrial Sands, Inc. ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") §§ 6111.03, and 3745.01.

**II. PARTIES BOUND**

These orders shall apply to and be binding upon Respondent and its successors in interest liable under Ohio law. No change in ownership of Respondent or the Facility (as hereinafter defined) shall in any way alter Respondent's obligations under these Orders.

**III. DEFINITIONS**

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 6111. and the rules promulgated thereunder.

**IV. FINDINGS**

The Director of the Ohio EPA has determined the following findings:

1. Respondent mines sand at 2446 Glass Rock Road Glenford, Perry County, Ohio 43739 (Facility).
2. Respondent holds a National Pollution Discharge Elimination System (NPDES) permit No. 01J00000\*ED (issued on May 13, 2003) for the discharges from its sedimentation ponds (outfalls 001, 002, 008 and outfall 009) into unnamed

tributaries to Jonathan Creek and an unnamed tributary to Painter Creek. The unnamed tributaries to Jonathan Creek and the unnamed tributary to Painter Creek constitute "waters of the state" as defined by ORC §6111.01.

3. Pursuant to ORC §6111.04(C), no person to whom a permit has been issued shall place or discharge, or cause to be placed or discharged, in any waters of the state any sewage, sludge, sludge materials, industrial waste, or other wastes in excess of the permissive discharges specified under an existing permit.
4. Pursuant to ORC Section 6111.07(A), no person shall violate or fail to perform any duty imposed by ORC Sections 6111.01 to 6111.08 or violate any order, rule, or term or condition of a permit issued or adopted by the Director of Ohio EPA pursuant to those sections. Each day of violation is a separate offense.
5. Respondent has violated terms and conditions of its NPDES permit on numerous occasions as cited in Attachment 1. Each violation set forth in Attachment 1 constitutes a separate violation of ORC Sections 6111.04 and 6111.07. Attachment 1 is hereby incorporated into these Findings & Orders as if fully stated herein. Based on these violations, Respondent was considered in significant noncompliance (SNC) from June, 2007 to June 2009.
6. During the 2008 summer field season, Ohio EPA conducted a stream survey in the Moxahala-Jonathan Creek Watershed. Water chemistry sampling occurred downstream of the tributary into which Respondent's facility discharges had large deposits of sandy/silt material. There were no such deposits upstream from this tributary.
7. On October 31, 2008, Respondent submitted amended Discharge Monitoring Reports (DMRs) for the period of January, 2004 through June 2008, which included misreported or omitted data from the original submittals. This information was brought to Ohio EPA's attention upon being discovered by the Respondent's management.
8. On February 26, 2009, Ohio EPA conducted a compliance evaluation of the Facility. The results of this inspection were documented in a March 24, 2009 letter. The following observations were made during the inspection:
  - a. Quarry No. 8 and the sediment pond serving it (outfall OIJ00000\*009) were inspected. It was observed that the pond appeared to be undersized and was a likely reason for the TSS effluent violations for this outfall that had occurred historically.

- b. The settling pond near the plant (0IJ00000\*002) had a considerable amount of sediment in it. The effluent for the pond was slightly white in color and there was sand in the receiving stream.
  - c. The south end of the plant grounds contained stockpiled stands to the east of the plant entrance road. Further, sand was observed on the plant access road. These areas do not drain into any sediment ponds.
9. Respondent submitted a PTI application 753202 on March 1, 2010 to address improvements to address NPDES compliance issues associated with outfalls 001, 002 and stock piled areas that were not adequately controlled for storm water/sediment transport.
10. The following orders do not constitute authorization or approval of the construction of any physical structure or facilities, or the modification of any existing treatment works or sewer system. Any such construction or modification is subject to the PTI requirements of OAC Chapter 3745-42.
11. This document does not modify NPDES Permit No. 0IJ00000\*ED. The purpose of this document is to correct a condition of noncompliance with NPDES Permit No. 0IJ00000\*ED and not to alter said permit.
12. Compliance with ORC Chapter 6111 is not contingent upon the availability or receipt of financial assistance.
13. The Director has given consideration to and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with these Orders and to evidence relating to conditions calculated to result from compliance with these Orders, and its relation to the benefits to the people of the State to be derived from such compliance in accomplishing the purposes of ORC Chapter 6111.

#### V. ORDERS

The Director hereby issues the following Orders:

1. Respondent shall take the following steps to address compliance with effluent limits of its NPDES permit for Outfalls 001 and 002 and eliminate unauthorized discharges from its facility in accordance with the following schedule:
  - a. As soon as possible but not later than 3 months from the effective date of PTI No. 753202, Respondent shall initiate construction for improvements authorized by and in accordance with its approved PTI; and

- b. As soon as possible but no later than 6 months from initiating construction, Respondent shall complete construction in accordance with its approved PTI.
2. Respondent shall take the following steps to address compliance with effluent limits of its NPDES permit for Outfall 009 in accordance with the following schedule:
  - a. As soon as possible but not later than 3 months from the effective date of these Orders, Respondent shall submit a PTI application for construction of improvements necessary to achieve compliance with its NPDES permit effluent limits for Outfall 009.
  - b. As soon as possible by no later than 3 months from the issuance of the PTI required by Order 2a, Respondent shall initiate construction for improvements authorized by and in accordance with its approved PTI; and
  - c. As soon as possible but no later than 6 months from initiating construction, Respondent shall complete construction in accordance with its approved PTI.
3. Respondent shall respond in writing within 14 days of any written comments provided by Ohio EPA in connection with submissions under Orders 1 and 2.
4. Respondent shall pay seventy-five thousand dollars (\$75,000.00) in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 6111. Within thirty (30) days after the effective date of these Orders, payment to Ohio EPA shall be made by an official check made payable to "Treasurer, State of Ohio" for \$60,000.00 of the total amount. The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent, to:

Office of Fiscal Administration  
Ohio Environmental Protection Agency  
P.O. Box 1049  
Columbus, Ohio 43216-1049

A photocopy of the check shall be sent to Ohio EPA's Southeast District Office in accordance with Section X of these Orders.

5. In lieu of paying the remaining dollars \$15,000.00 of the civil penalty, Respondent shall, within thirty (30) days of the effective date of these Orders, fund a supplemental environmental project (SEP) by making a contribution in the amount of dollars \$15,000.00 to Ohio EPA's Clean Diesel School Bus Fund

(Fund 5CD). Respondent shall tender an official check made payable to "Treasurer, State of Ohio" for said amount. The official check and a cover letter identifying the Respondent shall be submitted to Brenda Case, or her successor at:

Ohio EPA  
Office of Fiscal Administration  
P.O. Box 1049  
Columbus, Ohio 43216-1049

A copy of the check shall be sent to Mark Mann, Enforcement Manager, Storm Water and Enforcement Section, or his successor, at the following address:

Ohio EPA  
Division of Surface Water  
P.O. Box 1049  
Columbus, Ohio 43216-1049

6. Should Respondent fail to fund the SEP within the required time frame set forth in Order No. 5, Respondent shall immediately pay to Ohio EPA the remaining \$15,000.00 of the civil penalty in accordance with the procedures in Order No. 4.

#### **VI. TERMINATION**

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and the Chief of Ohio EPA's Division of Surface Water acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of the Respondent. For purposes of these Orders, a responsible official is defined in OAC Rule 3745-33-03(E).

#### **VII. OTHER CLAIMS**

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to activities occurring on or at the site.

#### **VIII. OTHER APPLICABLE LAWS**

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

#### **IX. MODIFICATIONS**

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

#### **X. NOTICE**

All documents required to be submitted by Respondent shall be addressed to:

Ohio Environmental Protection Agency  
Southeast District Office/Division of Surface Water  
Attention: Enforcement Supervisor  
2195 Front Street  
Logan, Ohio 43138

#### **XI. RESERVATION OF RIGHTS**

Ohio EPA and Respondent each reserve all other rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

#### **XII. WAIVER**

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein. Provided that Respondent complies with these Orders, Ohio EPA agrees not to refer Respondent

to the Attorney General's Office for further enforcement, civil or criminal, for the violations cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

### **XIII. EFFECTIVE DATE**

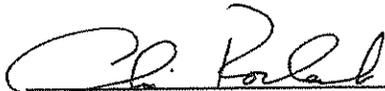
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

**XIV. SIGNATORY AUTHORITY**

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

**IT IS SO ORDERED AND AGREED:**

**Ohio Environmental Protection Agency**



Chris Korleski  
Director

DEC 27 2010

Date

**IT IS SO AGREED:**

**Oglebay Norton Industrial Sands, Inc.**



Signature

DECEMBER 17 2010

Date

KEVIN J WHYTE

Printed or Typed Name

VP EHS, GENERAL COUNSEL

Title

Orlebay Norton (dba Carmeuse) Limit Violations for life of permit June 1, 2003 thru May 31, 2010

(Attachment 1)

Permit No	Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
0100000*ED	Oct-04	1	400	pH	1D Conc	6.5	4.09	10/4/2004
0100000*ED	Oct-04	1	400	pH	1D Conc	6.5	6.2	10/18/2004
0100000*ED	Jan-05	1	530	Total Suspended Solids	30D Conc	30	37.5	1/1/2005
0100000*ED	Jan-05	1	530	Total Suspended Solids	1D Conc	45	63	1/17/2005
0100000*ED	Mar-07	1	530	Total Suspended Solids	30D Conc	30	46.25	3/1/2007
0100000*ED	Mar-07	1	530	Total Suspended Solids	1D Conc	45	62	3/5/2007
0100000*ED	Mar-07	1	530	Total Suspended Solids	1D Conc	45	95	3/19/2007
0100000*ED	Mar-07	1	530	Total Suspended Solids	30D Conc	30	48	3/1/2008
0100000*ED	Mar-08	1	530	Total Suspended Solids	1D Conc	45	60	3/24/2008
0100000*ED	Mar-08	1	530	Total Suspended Solids	30D Conc	30	41.5	6/1/2008
0100000*ED	Jun-08	1	530	Total Suspended Solids	1D Conc	45	62	6/23/2008
0100000*ED	Jun-08	1	530	Total Suspended Solids	30D Conc	30	52	7/1/2008
0100000*ED	Jul-08	1	530	Total Suspended Solids	1D Conc	45	48	7/7/2008
0100000*ED	Jul-08	1	530	Total Suspended Solids	1D Conc	45	56	7/21/2008
0100000*ED	Aug-08	1	530	Total Suspended Solids	30D Conc	30	31	8/1/2008
0100000*ED	Mar-09	1	530	Total Suspended Solids	30D Conc	30	38	3/1/2009
0100000*ED	Mar-09	1	530	Total Suspended Solids	1D Conc	45	62	3/2/2009
0100000*ED	Mar-09	1	530	Total Suspended Solids	30D Conc	30	34.5	4/1/2009
0100000*ED	Apr-09	1	530	Total Suspended Solids	1D Conc	45	62	4/20/2009
0100000*ED	Apr-09	1	530	Total Suspended Solids	1D Conc	45	6.25	5/5/2008
0100000*ED	May-08	2	400	pH	1D Conc	6.5	6.25	5/5/2008
0100000*ED	Mar-09	2	400	pH	1D Conc	6.5	5.81	3/2/2009
0100000*ED	Jan-04	2	530	Total Suspended Solids	30D Conc	30	34	1/1/2004
0100000*ED	Jan-04	2	530	Total Suspended Solids	1D Conc	45	58	1/12/2004
0100000*ED	Jan-04	2	530	Total Suspended Solids	30D Conc	30	32	4/1/2004
0100000*ED	Apr-04	2	530	Total Suspended Solids	1D Conc	45	60	4/5/2004
0100000*ED	Apr-04	2	530	Total Suspended Solids	1D Conc	45	59	7/16/2004
0100000*ED	Jul-04	2	530	Total Suspended Solids	1D Conc	45	59	7/16/2004
0100000*ED	Jan-05	2	530	Total Suspended Solids	30D Conc	30	47	1/1/2005
0100000*ED	Jan-05	2	530	Total Suspended Solids	1D Conc	45	49	1/17/2005
0100000*ED	Jan-05	2	530	Total Suspended Solids	30D Conc	30	31.3333	2/1/2007
0100000*ED	Feb-07	2	530	Total Suspended Solids	1D Conc	45	54	2/19/2007
0100000*ED	Mar-07	2	530	Total Suspended Solids	30D Conc	30	80.3333	3/1/2007
0100000*ED	Mar-07	2	530	Total Suspended Solids	1D Conc	45	207	3/5/2007
0100000*ED	May-07	2	530	Total Suspended Solids	30D Conc	30	33	5/1/2007
0100000*ED	May-07	2	530	Total Suspended Solids	1D Conc	45	67	5/21/2007
0100000*ED	Mar-08	2	530	Total Suspended Solids	30D Conc	30	41.5	3/1/2008
0100000*ED	Mar-08	2	530	Total Suspended Solids	1D Conc	45	48	3/24/2008
0100000*ED	May-08	2	530	Total Suspended Solids	30D Conc	30	218.75	5/1/2008
0100000*ED	May-08	2	530	Total Suspended Solids	1D Conc	45	718	5/5/2008
0100000*ED	May-08	2	530	Total Suspended Solids	1D Conc	45	74	5/15/2008
0100000*ED	May-08	2	530	Total Suspended Solids	1D Conc	45	52	5/19/2008
0100000*ED	Jul-08	2	530	Total Suspended Solids	30D Conc	30	38	7/1/2008
0100000*ED	Jul-08	2	530	Total Suspended Solids	1D Conc	45	56	7/21/2008
0100000*ED	Aug-08	2	530	Total Suspended Solids	30D Conc	30	45	8/1/2008
0100000*ED	Aug-08	2	530	Total Suspended Solids	1D Conc	45	69	8/18/2008
0100000*ED	Oct-08	2	530	Total Suspended Solids	30D Conc	30	39.5	10/1/2008
0100000*ED	Oct-08	2	530	Total Suspended Solids	1D Conc	45	68	10/6/2008
0100000*ED	Nov-08	2	530	Total Suspended Solids	30D Conc	30	41	11/1/2008
0100000*ED	Dec-08	2	530	Total Suspended Solids	1D Conc	45	95	12/1/2008
0100000*ED	Dec-08	2	530	Total Suspended Solids	30D Conc	30	65	12/1/2008
0100000*ED	Jan-09	2	530	Total Suspended Solids	30D Conc	30	98.5	1/1/2009
0100000*ED	Jan-09	2	530	Total Suspended Solids	1D Conc	45	95	1/5/2009
0100000*ED	Jan-09	2	530	Total Suspended Solids	1D Conc	45	102	1/19/2009
0100000*ED	Feb-09	2	530	Total Suspended Solids	30D Conc	30	213.5	2/1/2009
0100000*ED	Feb-09	2	530	Total Suspended Solids	1D Conc	45	271	2/2/2009
0100000*ED	Feb-09	2	530	Total Suspended Solids	1D Conc	45	156	2/16/2009
0100000*ED	Mar-09	2	530	Total Suspended Solids	30D Conc	30	65	3/1/2009
0100000*ED	Mar-09	2	530	Total Suspended Solids	1D Conc	45	123	3/2/2009
0100000*ED	Mar-09	2	530	Total Suspended Solids	1D Conc	45	58	3/13/2009
0100000*ED	Apr-09	2	530	Total Suspended Solids	30D Conc	30	211	4/1/2009
0100000*ED	Apr-09	2	530	Total Suspended Solids	1D Conc	45	401	4/20/2009
0100000*ED	May-09	2	530	Total Suspended Solids	30D Conc	30	81	5/1/2009
0100000*ED	May-09	2	530	Total Suspended Solids	1D Conc	45	57	5/4/2009
0100000*ED	May-09	2	530	Total Suspended Solids	1D Conc	45	105	5/18/2009
0100000*ED	Nov-07	8	400	pH	1D Conc	6.5	6.41	11/5/2007
0100000*ED	May-04	8	530	Total Suspended Solids	30D Conc	30	32	5/1/2004
0100000*ED	Jun-04	8	530	Total Suspended Solids	30D Conc	30	37	6/1/2004
0100000*ED	Jan-05	8	530	Total Suspended Solids	30D Conc	30	120	1/1/2005
0100000*ED	Jan-05	8	530	Total Suspended Solids	1D Conc	45	120	1/3/2005
0100000*ED	Dec-06	8	530	Total Suspended Solids	30D Conc	30	38.5	12/1/2005

01100000*ED	Dec-06	8	530	Total Suspended Solids	1D Conc	45	67	12/5/2005
01100000*ED	Jan-09	8	530	Total Suspended Solids	30D Conc	30	37.5	1/1/2009
01100000*ED	Jan-09	8	530	Total Suspended Solids	1D Conc	45	51	1/5/2009
01100000*ED	Apr-09	8	530	Total Suspended Solids	30D Conc	30	61.5	4/1/2009
01100000*ED	Apr-09	8	530	Total Suspended Solids	1D Conc	45	100	4/20/2009
01100000*ED	Oct-09	8	530	Total Suspended Solids	30D Conc	30	60	10/1/2009
01100000*ED	Oct-09	8	530	Total Suspended Solids	1D Conc	45	55	10/5/2009
01100000*ED	Oct-09	8	530	Total Suspended Solids	1D Conc	45	65	10/27/2009
01100000*ED	Nov-09	8	530	Total Suspended Solids	30D Conc	30	32	11/1/2009
01100000*ED	Sep-03	9	400	pH	1D Conc	6.5	5.7	9/12/2003
01100000*ED	Jun-04	9	400	pH	1D Conc	6.5	6	6/29/2004
01100000*ED	Jun-04	9	400	pH	1D Conc	6.5	6.37	6/13/2004
01100000*ED	Sep-04	9	400	pH	1D Conc	6.5	5.43	11/1/2004
01100000*ED	Nov-04	9	400	pH	1D Conc	6.5	6.3	9/12/2005
01100000*ED	Sep-05	9	400	pH	1D Conc	6.5	5.92	12/9/2005
01100000*ED	Dec-05	9	400	pH	1D Conc	6.5	6.02	11/6/2006
01100000*ED	Nov-06	9	400	pH	1D Conc	6.5	6.11	3/5/2007
01100000*ED	Mar-07	9	400	pH	1D Conc	6.5	5.86	2/11/2008
01100000*ED	Feb-08	9	400	pH	1D Conc	6.5	6.48	2/25/2008
01100000*ED	Feb-08	9	400	pH	1D Conc	6.5	6.21	3/10/2008
01100000*ED	Mar-08	9	400	pH	1D Conc	6.5	6.39	3/24/2008
01100000*ED	Mar-08	9	400	pH	1D Conc	6.5	6.25	5/5/2008
01100000*ED	May-08	9	400	pH	1D Conc	6.5	4.56	5/19/2008
01100000*ED	May-08	9	400	pH	1D Conc	6.5	5.82	5/23/2008
01100000*ED	May-08	9	400	pH	1D Conc	6.5	3.77	7/7/2008
01100000*ED	Jul-08	9	400	pH	1D Conc	6.5	5.67	7/18/2008
01100000*ED	Jul-08	9	400	pH	1D Conc	6.5	6.22	7/21/2008
01100000*ED	Jul-08	9	400	pH	1D Conc	6.5	5.32	7/31/2008
01100000*ED	Jul-08	9	400	pH	1D Conc	6.5	5.51	8/4/2008
01100000*ED	Aug-08	9	400	pH	1D Conc	6.5	6.04	11/24/2008
01100000*ED	Nov-08	9	400	pH	1D Conc	6.5	4.22	12/29/2008
01100000*ED	Dec-08	9	400	pH	1D Conc	6.5	5.7	1/5/2009
01100000*ED	Jan-09	9	400	pH	1D Conc	6.5	4.3	1/8/2009
01100000*ED	Jan-09	9	400	pH	1D Conc	6.5	6.19	1/16/2009
01100000*ED	Jan-09	9	400	pH	1D Conc	6.5	6.4	1/29/2009
01100000*ED	Jan-09	9	400	pH	1D Conc	6.5	5.49	2/9/2009
01100000*ED	Feb-09	9	400	pH	1D Conc	6.5	3.78	2/13/2009
01100000*ED	Feb-09	9	400	pH	1D Conc	6.5	5.18	2/16/2009
01100000*ED	Feb-09	9	400	pH	1D Conc	6.5	5.31	2/19/2009
01100000*ED	Feb-09	9	400	pH	1D Conc	6.5	5.88	2/20/2009
01100000*ED	Feb-09	9	400	pH	1D Conc	6.5	5.82	2/23/2009
01100000*ED	Feb-09	9	400	pH	1D Conc	6.5	6.1	2/24/2009
01100000*ED	Feb-09	9	400	pH	1D Conc	6.5	5.86	2/25/2009
01100000*ED	Feb-09	9	400	pH	1D Conc	6.5	6.48	3/3/2009
01100000*ED	Mar-09	9	400	pH	1D Conc	6.5	6.41	3/4/2009
01100000*ED	Mar-09	9	400	pH	1D Conc	6.5	4.4	3/16/2010
01100000*ED	Mar-10	9	400	pH	1D Conc	6.5	30.5	1/1/2004
01100000*ED	Jan-04	9	530	Total Suspended Solids	30D Conc	30	31.5	11/1/2005
01100000*ED	Nov-05	9	530	Total Suspended Solids	30D Conc	30	38	9/1/2007
01100000*ED	Sep-07	9	530	Total Suspended Solids	30D Conc	30	58	1/1/2008
01100000*ED	Jan-08	9	530	Total Suspended Solids	1D Conc	45	70	1/7/2008
01100000*ED	Jan-08	9	530	Total Suspended Solids	1D Conc	45	46	1/28/2008
01100000*ED	Feb-08	9	530	Total Suspended Solids	30D Conc	30	47.5	2/1/2008
01100000*ED	Feb-08	9	530	Total Suspended Solids	1D Conc	45	69	2/11/2008
01100000*ED	Mar-08	9	530	Total Suspended Solids	30D Conc	30	51.5	3/1/2008
01100000*ED	Mar-08	9	530	Total Suspended Solids	1D Conc	45	62	3/10/2008
01100000*ED	Apr-08	9	530	Total Suspended Solids	30D Conc	30	54	4/1/2008
01100000*ED	Apr-08	9	530	Total Suspended Solids	1D Conc	45	54	4/7/2008
01100000*ED	Jun-08	9	530	Total Suspended Solids	1D Conc	45	46	6/23/2008
01100000*ED	Jan-09	9	530	Total Suspended Solids	30D Conc	30	49	1/1/2009
01100000*ED	Jan-09	9	530	Total Suspended Solids	1D Conc	45	75	1/5/2009
01100000*ED	Jan-09	9	530	Total Suspended Solids	1D Conc	45	62	1/30/2009

Oglebay Norton (Idba Carmeuse) Code Violations for the period June 2003 thru May 2010

Reporting Code	Parameter	Unit Type	Limit	Reported Value	Violation Date
00400	PH			AF	2/1/2010
00500	Total Suspended			AF	2/1/2010
50050	Flow Rate			AF	1/4/2010
50050	Flow Rate			AF	1/5/2010
50050	Flow Rate			AF	1/6/2010
50050	Flow Rate			AF	1/7/2010
50050	Flow Rate			AF	1/8/2010
50050	Flow Rate			AF	1/11/2010
50050	Flow Rate			AF	1/12/2010
50050	Flow Rate			AF	1/13/2010
50050	Flow Rate			AF	1/14/2010
50050	Flow Rate			AF	1/18/2010
50050	Flow Rate			AF	2/1/2010
50050	Flow Rate			AF	2/2/2010
50050	Flow Rate			AF	2/3/2010
50050	Flow Rate			AF	2/4/2010
50050	Flow Rate			AF	2/5/2010
50050	Flow Rate			AF	2/6/2010
50050	Flow Rate			AF	2/9/2010
50050	Flow Rate			AF	2/10/2010
50050	Flow Rate			AF	2/11/2010
50050	Flow Rate			AF	2/12/2010
50050	Flow Rate			AF	2/15/2010
50050	Flow Rate			AF	2/16/2010
50050	Flow Rate			AF	2/17/2010
50050	Flow Rate			AF	2/17/2010

Oglebay Norton (Idba Carmeuse) Frequency Violations for the period June 1, 2003 thru May 31, 2010

Param No	Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
0100000*ED	October 2003	002	00010	Water Temperature	1/Day	1	0	10/04/2003
0100000*ED	October 2003	002	00010	Water Temperature	1/Day	1	0	10/05/2003
0100000*ED	October 2003	002	00010	Water Temperature	1/Day	1	0	10/11/2003
0100000*ED	October 2003	002	00010	Water Temperature	1/Day	1	0	10/12/2003
0100000*ED	October 2003	002	00010	Water Temperature	1/Day	1	0	10/18/2003
0100000*ED	October 2003	002	00010	Water Temperature	1/Day	1	0	10/19/2003
0100000*ED	October 2003	002	00010	Water Temperature	1/Day	1	0	10/25/2003
0100000*ED	October 2003	002	00010	Water Temperature	1/Day	1	0	10/26/2003
0100000*ED	November 2003	002	00010	Water Temperature	1/Day	1	0	11/01/2003
0100000*ED	November 2003	002	00010	Water Temperature	1/Day	1	0	11/02/2003
0100000*ED	November 2003	002	00010	Water Temperature	1/Day	1	0	11/08/2003
0100000*ED	November 2003	002	00010	Water Temperature	1/Day	1	0	11/09/2003
0100000*ED	November 2003	002	00010	Water Temperature	1/Day	1	0	11/15/2003
0100000*ED	November 2003	002	00010	Water Temperature	1/Day	1	0	11/16/2003
0100000*ED	November 2003	002	00010	Water Temperature	1/Day	1	0	11/22/2003
0100000*ED	November 2003	002	00010	Water Temperature	1/Day	1	0	11/23/2003
0100000*ED	November 2003	002	00010	Water Temperature	1/Day	1	0	11/29/2003
0100000*ED	November 2003	002	00010	Water Temperature	1/Day	1	0	11/30/2003
0100000*ED	December 2003	002	00010	Water Temperature	1/Day	1	0	12/05/2003
0100000*ED	December 2003	002	00010	Water Temperature	1/Day	1	0	12/07/2003
0100000*ED	December 2003	002	00010	Water Temperature	1/Day	1	0	12/13/2003
0100000*ED	December 2003	002	00010	Water Temperature	1/Day	1	0	12/14/2003
0100000*ED	December 2003	002	00010	Water Temperature	1/Day	1	0	12/20/2003
0100000*ED	December 2003	002	00010	Water Temperature	1/Day	1	0	12/21/2003
0100000*ED	December 2003	002	00010	Water Temperature	1/Day	1	0	12/27/2003
0100000*ED	December 2003	002	00010	Water Temperature	1/Day	1	0	12/28/2003

01J00000*ED	December 2003	002	00010	Water Temperature	1/Day	1	0	12/28/2003
01J00000*ED	February 2004	002	00010	Water Temperature	1/Day	1	0	02/01/2004
01J00000*ED	February 2004	002	00010	Water Temperature	1/Day	1	0	02/07/2004
01J00000*ED	February 2004	002	00010	Water Temperature	1/Day	1	0	02/08/2004
01J00000*ED	February 2004	002	00010	Water Temperature	1/Day	1	0	02/14/2004
01J00000*ED	February 2004	002	00010	Water Temperature	1/Day	1	0	02/15/2004
01J00000*ED	February 2004	002	00010	Water Temperature	1/Day	1	0	02/21/2004
01J00000*ED	February 2004	002	00010	Water Temperature	1/Day	1	0	02/22/2004
01J00000*ED	February 2004	002	00010	Water Temperature	1/Day	1	0	02/28/2004
01J00000*ED	February 2004	002	00010	Water Temperature	1/Day	1	0	02/29/2004
01J00000*ED	April 2004	002	00010	Water Temperature	1/Day	1	0	04/17/2004
01J00000*ED	April 2004	002	00010	Water Temperature	1/Day	1	0	04/18/2004
01J00000*ED	July 2004	002	00010	Water Temperature	1/Day	1	0	07/31/2004
01J00000*ED	January 2006	002	00010	Water Temperature	1/Day	1	0	01/21/2006
01J00000*ED	January 2006	002	00010	Water Temperature	1/Day	1	0	01/22/2006
01J00000*ED	January 2006	002	00010	Water Temperature	1/Day	1	0	01/28/2006
01J00000*ED	January 2006	002	00010	Water Temperature	1/Day	1	0	01/29/2006
01J00000*ED	November 2007	002	00552	Oil and Grease, Hexane	1/Month	1	0	11/01/2007
01J00000*ED	March 2008	002	00552	Oil and Grease, Hexane	1/Month	1	0	03/01/2008
01J00000*ED	April 2008	002	00552	Oil and Grease, Hexane	1/Month	1	0	04/01/2008
01J00000*ED	February 2007	002	01045	Iron, Total (Fe)	1/2Weeks	1	0	02/01/2007
01J00000*ED	April 2006	009	00400	pH	1/Month	1	0	04/01/2006
01J00000*ED	April 2006	009	00530	Total Suspended Solids	1/Month	1	0	04/01/2006