



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

August 20, 2007

RE: WARNING LETTER  
FAILURE TO SUBMIT RENEWAL  
PERMIT-TO-OPERATE  
APPLICATIONS  
FACILITY ID # 0285010065

Adam Leimeister  
Smith Dairy Products Co.  
1381 Dairy Lane  
Orrville, OH 44667

Dear Mr. Leimeister:

Our records indicate that Smith Dairy Products Co., located at 230 North Vine St. in Orrville, Ohio, has failed to submit Renewal Permit-to-Operate applications for the following emissions units:

<u>ID</u>	<u>Description</u>	<u>Expiration Date</u>
F001	Roadways & Parking Areas	July 1, 1996

Ohio Administrative Code Rule 3745-35-02 requires that the owner or operator of an air contaminant source apply for and obtain a permit-to-operate for each emissions unit. Renewal applications are due within six months prior to the expiration date.

Please submit PTO applications to my attention at the Northeast District Office for the emissions units listed above **within thirty (30) days of receipt of this letter**. Blank PTO application forms are enclosed for your convenience. You may download additional forms if needed from our website at <http://www.epa.state.oh.us/dapc/fops/eac/eacforms.html>. Please feel free to make copies as needed. Failure to respond to this request in the stated time frame can result in a referral to the Central Office of Ohio EPA for the appropriate enforcement action.

If your records indicate that you submitted the applications on time, please resubmit these along with your documentation of the submittal being done on a timely basis.

If the emissions unit has been permanently shut down, please reply with the date of the shutdown. If the emissions unit has been temporarily shut down, you will need to obtain a permit-to-operate prior to its return to service. If it has been shut down for more than five years, you will need to obtain a permit-to-install as well as a permit-to-operate prior to its return to service. If the entire facility has been sold or shut down, please reply with the new owners information or the date of closure.

ADAM LEIMEISTER  
AUGUST 20, 2007  
PAGE 2

The submission of the requested permit application does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date.

Should you have any questions, please feel to call me at (330) 963-1174.

Sincerely,



Tracy Gu  
Division of Air Pollution Control  
Northeast District Office

TG:bo

enclosure: Permit-to-Operate application forms

cc: Dennis Bush, DAPC, NEDO