



**Environmental
Protection Agency**

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

June 13, 2011

Re: Washington County
Loeber Gessel LLC.
Facility ID # 0684015008
Compliance Inspection
Warning Letter
Certified: 70101060000178962488

Mr. Richard Gessel
Loeber Gessel LLC
741 Blue Knob Road
Marietta, OH 45750

Subject: Warning Letter concerning the May 25, 2011 Site Visit

Dear Mr. Gessel:

On May 25, 2011, I performed a site visit of Loeber Gessel LLC in Marietta, Ohio. The site visit was conducted to determine the facility's compliance with State and federal air pollution rules and regulations, and in response to citizen complaints.

The Permit-to-Install and Operate (PTIO), P0107559 Permit Term Part C.1.b)(2)c.(page 12 of 14), requires that the facility remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets to which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.

During the site visit, I observed drag out material from the facility onto the public roadways. I observed drag out material on Warner Street, Greene Street, and Acme Street. Failure to removed drag out material is a violation of the above-cited permit term and condition.

During my visit, I spoke to you via telephone and discussed the situation with you. At that time, I asked if the facility had been using a sweeper and/or vacuum truck to clean the public roadways. You informed me that the facility had purchased a sweeper truck but the truck was currently inoperable.

Each of the above violations can carry a maximum fine of \$25,000.00 per offense per day as provided by Ohio Revised Code Section 3704.06.

Within 30 days of receipt of this letter, Loeber Gessel LLC shall submit a plan and schedule to return the facility to compliance. The plan should include a time line for completing corrective actions and specify the corrective actions taken. Please include in this plan both preventative measures that facility will take to prevent drag out onto the public roadways as well as a detailed plan to remove drag out from the public roadways.

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Acceptance by the Ohio EPA of a schedule for compliance does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or decline to pursue such penalties in this case will be made by the Ohio EPA at a later date.

If you are unable to respond to any part of the above request, within the time frame discussed above, please inform us and explain so that we may be of assistance. Should you have any questions, feel free to contact me at (740) 380-5223 or email christina.wieg@epa.state.oh.us. The assistance provided during and after the site visit was greatly appreciated.

Sincerely,



Christina Wieg
Environmental Specialist III
Division of Air Pollution Control
Southeast District Office

CW/mlm

cc: Bruce Weinberg, DAPC/SEDO
Ralph Witte, OCAPP/DAPC