



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Central District Office

MAILING ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 728-3778 FAX: (614) 728-3898
www.epa.state.oh.us

P.O. Box 1049
Columbus, OH 43216-1049

CERTIFIED MAIL # 91 7108 2133 3932 4450 6494

January 4, 2008

Mr. Steve Parish
Delmont Fleet Services LLC
2965 Delmont Road, SW
Lancaster, OH 43130

Re: Notice of Violation: Installation and operation of air contaminant sources without permits required by the Ohio Administrative Code (OAC) rules 3745-31-02 and 3745-35-02

Dear Mr. Parish:

Ohio EPA, Central District Office (CDO) has learned that Delmont Fleet Services has installed and has been operating air contaminant sources prior to applying for and obtaining an air permit-to-install (PTI) and air permit-to-operate (PTO) from Ohio Environmental Protection Agency (Ohio EPA). Specifically, CDO learned that Delmont Fleet Services installed and operated a truck painting operation, an unpaved roadway, and parking area, and a sandblasting operation without the necessary permits.

The installation and operation of any stationary air pollution source without first applying for and obtaining a PTI and PTO constitutes violations of OAC rules 3745-31-02 and 3745-35-02, respectively. OAC rule 3745-31-02 (A) states that *no person shall cause, permit, or allow the installation of a new source of air pollutants...without first obtaining a PTI from the director.* OAC rule 3745-35-02(A) states that *no person may cause, permit, or allow the operation or other use of any air contaminant source without applying for and obtaining a PTO from the director.*

Please submit all necessary permit applications within 30 days of receipt of this letter. PTI and PTO applications are enclosed. Please note that the Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by the Ohio EPA at a later date.

If at some time in the future Delmont Fleet Services plans to install/modify an air contaminant source, please contact CDO at (614) 728-3778 to obtain the appropriate forms and discuss the applicability of any rules in question. Ohio EPA will endeavor to process all applications in an expeditious manner.

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

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If you have any questions, please do not hesitate to contact Richard Fowler of my staff at (614) 995-0671 or Office of Compliance Assistance and Pollution Prevention (brochure enclosed) at 1-800-329-7518.

Sincerely,



Mike Rigglesman
Permits and Compliance Team Supervisor
Division of Air Pollution Control
Central District Office

Attachments: PTI application, PTO application, Emission Activity Category form(s),
Compliance Assistance and Pollution Prevention brochure