



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

October 5, 2010

Re: Belmont County
Bellaire Harbor Service, LLC
Facility ID #0607020246
Warning Letter (Non-HPV)

Certified #70101060000178960316

Robert G. Harrison
Bellaire Harbor Service, LLC
P.O. Box 29
Bellaire, Ohio 43906

Dear Mr. Harrison:

The purpose of this letter is to follow up on compliance and air permitting issues ongoing at the Bellaire Harbor Service, LLC facility located at 6350 North Guernsey Street in Bellaire, Ohio. As documented in Ohio EPA's letters dated January 4, 2008, February 12, 2009, and January 13, 2010, and as was confirmed during Ohio EPA's site visit on July 27, 2010, Bellaire Harbor Services continues to operate different equipment and handle different materials than were authorized by air Permit-to-Install (PTI) No. 06-08063 issued to the company on March 9, 2006 (see enclosed photos). Specifically, a rail car unloading station has been added and instead of coal, the company handles salt, aggregate, and scrap metal.

It appears Bellaire Harbor Service has installed and modified several emissions units (EUs) at the North Guernsey Street facility without applying for and obtaining a new or modified permit-to-install and operate for these additional lines of business, in violation of Ohio Administrative Code rule 3745-31-02(A)(1). To date, Ohio EPA has never received the emissions information and updated permit applications requested in the aforementioned letters. Further, the company has failed to comply with PTI No. 06-08063, as the quarterly deviation reports required by that permit for the first and second quarters of 2010 have not been filed, and the reports received for the third and fourth quarters of 2009 were substantially late with the last report received on May 3, 2010.

Within thirty (30) days of your receipt of this letter, Bellaire Harbor Service, LLC must provide Ohio EPA with a compliance plan and schedule that outlines the steps that the company will take to obtain the proper air permits for the North Guernsey Street facility and comply with all applicable Ohio air pollution control laws and rules. Acceptance by Ohio EPA of a schedule for compliance does not constitute a waiver of 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 Ohio EPA at a later date.

Robert G. Harrison
Bellaire Harbor Service, LLC
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Should you have any questions or need assistance responding to this request, please feel free to contact me at (740) 380-5245 or via email at kim.reinbold@epa.state.oh.us.

Sincerely,



Kimbra L. Reinbold
Division of Air Pollution Control
Southeast District Office

KLR/mlm

Enclosures

cc: Sarah K. Harter, DAPC, SEDO
Bruce D. Weinberg, DAPC, SEDO