



State of Ohio Environmental Protection Agency

Northeast District Office

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

September 5, 2008

CERTIFIED MAIL

Mr. Kim Parrott  
Bessemer Concrete LLC  
315 E. Poland Avenue  
Bessemer, PA 16112

0250002007

RE: Warning Letter for Operating an Air Pollution Source prior to applying for Permits-to-Install and Permits-to-Operate (PTIO) at the Bessemer Concrete facility in Petersburg, Ohio.

Dear Mr. Parrott:

The purpose of this letter is to follow up my recent site visit of August, 21, 2008, and our subsequent conversations concerning Bessemer Concretes facility in Petersburg, Ohio. These conversations dealt with that facility operating an air pollution source prior to applying for and receiving the required permits-to-install and permits-to-operate (PTIO).

Please be advised that Rule 3745-31-02 of the Ohio Administrative Code states, in part, "Except as provided in rule 3745-31-03 of the Administrative Code, no person shall cause, permit, or allow the...Installation or modification, and subsequent operation of any new source... without first obtaining a PTIO from the director..."

Be advised that violations of state air pollution regulations are punishable by civil penalty of \$25,000 per violation. This is, therefore, an official notice requiring the submittal of applications for PTIO, for any such air contaminant source at your facility. In order to move toward compliance, please submit the appropriate application(s) to my attention within **30 days of receipt of this letter**. We trust that voluntary compliance will be forthcoming so that no further action will be required.

The submission of the requested permit applications (PTIO) does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06. Ohio EPA will make a decision whether to pursue or decline to pursue penalties regarding this matter at a latter date.

A copy of appropriate forms and regulations were hand delivered during my site visit and are available as well on the Ohio EPA website at <http://www.epa.state.oh.us/dapc/>. If you have any questions, please do not hesitate to contact me at (330) 963-1229, or the Office of Compliance Assistance and Pollution Prevention (OCAPP) at (330) 963-1250.

Sincerely,

Richard A. Smith  
Environmental Engineer  
Division of Air Pollution Control

RAS:bo

cc: Ed Fasko, Ohio EPA, DAPC/NEDO