



AKRON REGIONAL  
AIR QUALITY MANAGEMENT DISTRICT

Agent of the Ohio Environmental Protection Agency • Division of the Akron Health Department  
Serving Medina, Portage and Summit Counties

TELEPHONE: (330) 375-2480

FAX: (330) 375-2402

August 21, 2008

L. M. Malcolm, P.E.  
Administrator

Mr. Jimmy Cecconi, Operations Manager  
Barberton Steel Industries, Inc.  
240 Huston Street  
Barberton, OH 44203

SUBJECT: NOTICE OF VIOLATION OF AIR POLLUTION CONTROL RULES AND LAWS

Dear Mr. Cecconi:

This letter is to notify you of violations involving Ohio Administrative Code rules.

The first issue involves the expired permits. Operation of any source of air emission without an effective Permit to Operate (PTO) is a violation of Ohio Administrative Code (OAC) rule 3745-35-02. PTO's for all emissions units at your facility expired on May 13, 2004. Sometime in 2003, your facility was reminded to renew the permits before they expire. This agency sent a warning letter to your facility in 2007 regarding this issue. As of this date, no applications to renew the expired permits have been received. Please be advised that your facility has been in violation of OAC rule 3745-35-02 since May 13, 2004.

In an effort to assist you with the application process, Mr. Fred Kramer visited your facility on March 4, 2008, and explained the procedures for obtaining application documents on the web site of Ohio Environmental Protection Agency (Ohio EPA), and also pointed out how to obtain small business assistance from the Office of Compliance Assistance and Pollution Prevention (OCAPP).

On a visit to your facility on June 24, 2008, Mr. Kramer provided further assistance in directing you to find the most recent version of the Permit to Install and Operate (PTIO) application and Emissions Activity Category (EAC) forms that are applicable to your operations. Please be advised that all emissions units that have expired permits remain out of compliance with OAC rule 3745-35-02.

In addition to the expired permits, there is a pile of used foundry sand on the property. Although the sand from the pile is has been partially removed, there is still a significant amount remaining in close proximity to residences in the area. Please be advised that failure to minimize or eliminate fugitive dust from this sand is a violation of OAC rule 3745-17-08. Complaints from the neighboring community indicate that there could be a problem involving the sand storage pile.

Within 15 days of receipt of this letter, please submit a plan of how and when your facility will attain and demonstrate compliance with OAC rule 3745-35-02, and a plan of preventing fugitive dust originating from the used foundry sand storage from becoming airborne.

Be advised that this Notice of Violation and your timely submittal does not waive the authority of this agency, Ohio EPA, or US EPA to seek penalties in this matter. The decision to pursue, or decline to pursue, enforcement action in this case will be made at a later date.

CITICENTER - SUITE 904

146 SOUTH HIGH STREET • AKRON, OHIO 44308

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Mr. Jimmy Cecconi, Operations Manager  
August 21, 2008  
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Thank you for your attention to this situation. If you have any questions or need additional information, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "L. M. Malcolm", with a long horizontal flourish extending to the right.

L. M. Malcolm, P.E.  
Administrator

FJK

CERTIFIED MAIL

pc: Mr. Frank Markunas - ARAQMD  
Mr. Tom Kalman - Ohio EPA  
Ms. Lisa Holscher - US EPA  
Mr. Mike Meusel, Barberton Health District

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Jimmy Cecconi, Operations Manager  
 Barberton Steel Industries, Inc.  
 240 Huston Street  
 Barberton, OH 44203

**COMPLETE THIS SECTION ON DELIVERY**

- A. Received by (Please Print Clearly) *KAREN FUTRELL* B. Date of Delivery
- C. Signature *X Karen Futrell*  Agent  Addressee
- D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type
- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

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PS Form 3811, July 1999

Domestic Return Receipt

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Akron Regional : FJK  
 Air Quality Management District  
 146 S. High Street - Suite 904  
 Akron, OH 44308

