



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

L. M. Malcolm, P.E.  
Administrator

5/19/2010

CERTIFIED MAIL

ALBERT KAY  
ASB INDUSTRIES, INC.  
1031 LAMBERT ST  
BARBERTON, OH 44203

Re: NOTICE OF VIOLATION

Dear ALBERT KAY:

The Ohio Environmental Protection Agency (Ohio EPA) issued one or more permit(s)-to-install and operate (PTIO) for the facility identified above. Standard terms and conditions in a PTIO require an annual Permit Evaluation Report (PER) for each emissions unit contained in the permit. The PER which was due by February 15, 2010 for the reporting period 01/01/2009 through 12/31/2009 has not been submitted.

The PER must be completed using the hard copy forms provided to you with the PER reminder letter, or electronically via the eBusiness Center - Air Services at [ebiz.epa.ohio.gov](http://ebiz.epa.ohio.gov). Failure to submit the PER is in violation of the terms and conditions of the applicable PTIO. Additionally, each submission of an incomplete, inaccurate or late report is in violation of the terms and conditions of the applicable PTIO. Violations of the terms and conditions of a PTIO permit are violations of Ohio Revised Code (ORC) Section 3704.05.

No later than fourteen (14 days) from the receipt of this letter, please submit a completed PER form for 2009. If you need additional time, please notify this agency in writing.

The submission of the completed PER form does not constitute a waiver of the authority of either the Ohio Environmental Protection Agency (Ohio EPA) or US EPA to seek penalties in this matter. The decision to pursue, or decline to pursue, additional enforcement action in this case will be made at a later date.

If you have any questions concerning this letter, please contact me at [lmiracle@akronohio.gov](mailto:lmiracle@akronohio.gov) or (330)375-2480 extension 4239.

Sincerely,

Laura Miracle

Akron Regional Air Quality Management District

Enclosure

CITICENTER - SUITE 904  
146 SOUTH HIGH STREET • AKRON, OHIO 44308  
*An equal opportunity employer and provider of services - CRA 1964*