



ENFORCEMENT ORDER

Allegheny County Health Department

Air Quality Program

836 Fulton Street, Pittsburgh, PA 15233	Phone: (412) 578-8103		
Address of Alleged Violation 108 Talbot Ave, Braddock, PA 15104			
Name of Alleged Violator #1 Wheaton & Sons Inc.			
Address of Alleged Violator #1 108 Talbot Ave, Braddock, PA 15104			
Contact Person #1 Jeff Wheaton	Title Owner	Phone Number 412-351-0405	Email jwheaton@wheatonmetalfab.com

PART 1: DESCRIPTION OF INSPECTION(s)

On March 12, 2025, Allegheny County Health Department (ACHD) representatives conducted a site visit at Wheaton and Sons Inc at 108 Talbot Avenue, Braddock, PA 15104. Wheaton and Sons Inc. is an establishment primarily engaged in fabricated structural metal manufacturing operations. ACHD observed machining processes, including two plasma cutters, one laser cutter multiple press brakes, bandsaws, curving rolls and punching centers. The plasma cutter operates on a water table, but ACHD saw no other dust control measures. ACHD observed welding activities that were performed on open tables and vented through exhaust fans directly to the atmosphere. The welders are fueled by CO₂, nitrogen, and argon. Seven Wheaton & Sons employees primarily engage in welding activities. Wheaton & Sons operates a paint booth with High Velocity – Low Pressure paint guns to prime metal. Wheaton & Sons operates a blasting unit that uses aluminum oxide sand as blast media and is controlled by a baghouse on the exterior of the facility. Wheaton & Sons also operates a blasting unit that uses steel abrasives as blast media and is controlled by a baghouse on the interior of the building.

Due to the facility's equipment and operations, ACHD determined Wheaton and Sons Inc. was subject to EPA 40 CFR Part 63 Subpart XXXXXX and was subject to Article XXI. On May 6, 2025, ACHD provided a data request via email regarding the operations and throughput of the facility with a deadline to respond of June 6, 2025. Pursuant to Section 2109.a of Article XXI, ACHD requested the following information:

- SDS sheets for paints, solvents, thinners, and cleaners
- SDS sheets for MIG (Metal Inert Gas) and TIG (Tungsten Inert Gas) wire and rod
- SDS sheets for shielding and carrier gases
- SDS sheets for abrasive blast media
- Natural gas fuel usage for shop heaters
- Number of shop employees
- 12-month material throughput for welding rod, welding wire, paint, gases, and abrasive blast media
- Specifications for spray paint gun
- Machining and welding equipment specifications
- Building dimensions

ACHD also requested on July 1, 2025 via email that Wheaton & Sons Inc. submit a Request for Determination or Permit Application. As of the date of this enforcement order, Wheaton & Sons Inc. has failed to submit any of the requested data and documentation.

Did the individual/company cooperate with ACHD personnel? If not, explain:	No, facility failed to provide requested information.
Inspection Date(s) 3/12/2025	Inspector Name(s) James Bollinger, Kacie Cava, Gaspar Muniz Villalon

PART 2: YOU ARE IN VIOLATION OF THE FOLLOWING REGULATION(s):

	<p>Regulation Section §2103.10.b.1 Prohibition of Operating Without a Permit</p>	<p>Regulation Requirement</p> <p>Except as otherwise expressly provided under this Subpart, no source subject to this Subpart may be operated, or allowed to operate, after the time a complete Operating Permit application for such source is required to be submitted under this Part, except in compliance with an Operating Permit issued under this Subpart.</p>
1	<p>Description of Violation</p> <p>Wheaton and Sons equipment and operations are regulated. Wheaton and Sons has failed to provide a Request for Determination documenting its equipment and operations as requested by ACHD.</p>	<p>What You Must Do to Correct the Violation</p> <p>Submit a complete Request for Determination and appropriate fee via the Regulated Entities Portal https://www.alleghenycounty.us/Services/Health-Department/Air-Quality/Regulated-Entities-Portal</p> <p>Submit to ACHD within 14 days of receipt of this order.</p>
2	<p>Regulation Section §2109.01.a Inspections</p>	<p>Regulation Requirement</p> <p>The Department may enter any premise, except a building used exclusively as a private residence, for the purpose of inspecting any source of air contaminants and associated equipment, and all records, charts, instruments and the like associated therewith or for the purpose of determining compliance with any provision of this Article. As expeditiously as is reasonable, the person responsible for such source shall, upon request, make all records, charts, and the like pertaining to such source available to the Department for inspection and copying.</p>
	<p>Description of Violation</p> <p>Wheaton and Sons has failed to provide data regarding its equipment and operations as requested by ACHD.</p>	<p>What You Must Do to Correct the Violation</p> <p>Provide the requested information to ACHD within 14 days of receipt of this order.</p>

PART 3: YOU ARE HEREBY ORDERED AS FOLLOWS:

Immediately stop all work and/or cease operations at the following location(s):

■ **You are hereby Ordered to correct the violations(s) listed in Part 2 within 14 days of the service of this Enforcement Order.**

■ **You are hereby Ordered to comply with the following requirements within 14 days of the service of this Enforcement Order:**

Submit a Request for Determination and appropriate fee to ACHD via the Regulated Entities Portal <https://www.allegenycounty.us/Services/Health-Department/Air-Quality/Regulated-Entities-Portal>

Submit the below documentation via email to AOReports@AlleghenyCounty.US

- SDS sheets for paints, solvents, thinners, and cleaners
- SDS sheets for MIG (Metal Inert Gas) and TIG (Tungsten Inert Gas) wire and rod
- SDS sheets for shielding and carrier gases
- SDS sheets for abrasive blast media
- Natural gas fuel usage for shop heaters
- Number of shop employees
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- Building dimensions

The Order(s) in this Part is enforceable upon issuance and any appeal shall not act as a stay. The Order(s) shall remain in effect until you are notified in writing by the Department. Please contact the ACHD Air Quality Program at (412) 578-8103 to arrange for a reinspection or to request that the Order(s) be rescinded.

Please be advised that failure to comply with this Order within the times specified herein is a violation of Article XXI giving rise to the remedies provided by Article XXI § 2109.02 including civil penalties of up to \$25,000 per violation per day.

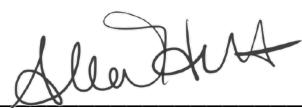
PART 4: REQUEST FOR ADMINISTRATIVE HEARING

Pursuant to Article XI, § 1104.A (“Hearings and Appeals”), and Article XXI § 2109.03.d, of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order, a Notice of Appeal shall be filed no later than thirty (30) days after receipt of written notice or issuance of this Order. Such a Notice of Appeal shall be filed in the Office of the Director at 542 Fourth Avenue, Pittsburgh, PA 15219.

This Order is enforceable upon issuance and any appeal of this Order shall not act as a stay unless the Director of the ACHD so orders. In the absence of a timely appeal, the terms of this Order shall become final.

Please be aware that if you wish to appeal this Order and a civil penalty has been assessed under Part 4, you are required within 30 days of receipt of this Order to either forward the penalty amount to the ACHD for placement in an escrow account or post an appeal bond to the ACHD in the amount of the penalty. Failure to forward the money or the appeal bond at the time of the appeal shall result in a waiver of all legal rights to contest the violation or the amount of the civil penalty unless you allege financial inability to prepay the penalty or to post the appeal bond. If you allege financial inability to prepay or post, then you have the burden to prove it. Please review the specific requirements for prepaying the penalty or posting the appeal bond found in Article XXI § 2109.06.a.2-3.

A copy of Article XXI and Article XI may be found at <https://www.allegenycounty.us/Health-Department/Health-Department-Regulations.aspx>.



Air Quality Program Manager

11/21/2025

Date