



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

February 27, 2012

RE: CUYAHOGA COUNTY  
VILLAGE OF VALLEY VIEW  
INDUSTRIAL STORM WATER  
WEST CANAL ST. MATERIALS HANDLING

**CERTIFIED MAIL**

Jacob Youngman  
Bulldog Asset and Recovery, LLC.  
5850 W. Canal Rd.  
Valley View, OH 44125

Dear Mr. Youngman:

On February 7, 2012, I performed a compliance inspection of storm water best management practices (BMP) at the above referenced site. I was accompanied on my inspection by Bill Lutz of our Division of Materials and Waste Management (DMWM). No one representing the facility was present on site at the time of inspection. Our records indicate that Bulldog Asset and Recovery, LLC., has authorization under the Ohio EPA, General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC05362\*AG to discharge storm water from your facility located at 5850 W. Canal Rd.

It appears that operations at this site are related to slag and/or iron ore processing. Please be aware that facilities that engage in these activities are regulated under the NPDES storm water program; however, not as a construction activity. These activities produce storm water associated with industrial activity as defined in Ohio Administrative Code (OAC) 3745-39-04. Facilities engaged in slag processing are described under Standard Industrial Classification (SIC) code 3295: Minerals and Earths, Ground or Otherwise Treated. Facilities engaged in the beneficiation and preparation of ferrous materials are classified under SIC Major Group 10: Metal Mining, whether or not the operation is associated with a mine. Thus, it appears that Bulldog Asset and Recovery, LLC., does not have the appropriate type of NPDES permit to authorize storm water discharges from this facility. I attempted to contact you by telephone and discuss this matter with you on February 8, 2012, and February 13, 2012, but never received a return call.

Please be aware that Bulldog Asset and Recovery, LLC., appears to be in violation of Ohio Revised Code 6111.04 and OAC 3745-39-04 for failure to obtain authorization under an NPDES permit to discharge storm water associated with industrial activity. To correct this violation, you must submit a Notice of Intent (NOI) for coverage under the Ohio EPA General Storm Water

NPDES Permit for Industrial Activities #OHR000005 and prepare and implement a storm water pollution prevention plan (SWP3). The plan must comply with the requirements of the NPDES permit. Please note that your existing NPDES permit for construction activities also requires an SWP3, but the required content of an SWP3 for industrial activities differs from an SWP3 for construction activities. In addition, the monitoring and inspection requirements contained in the industrial general permit differ from those contained in the construction permit. Thus, the existing plan likely must be revised to meet the requirements of the appropriate NPDES permit. The NOI, instructions and SWP3 guidance can be found on our website at:

[http://www.epa.ohio.gov/dsw/permits/GP\\_IndustrialStormWater.aspx](http://www.epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx).

Please submit the NOI and permit fee for industrial storm water permit coverage **no later than March 12, 2012**. Further, terminate coverage under the Ohio EPA General Storm Water NPDES Permit for Construction Activities #3GC05362\*AG if you are not engaged in construction activities. Coverage is terminated by submitting a Notice of Termination to Ohio EPA. A copy of this form and its instructions can be found at:

[www.epa.ohio.gov/dsw/storm/stormform.aspx](http://www.epa.ohio.gov/dsw/storm/stormform.aspx).

If you feel you have received this letter in error, please provide me with a letter of explanation no later than March 12, 2012. Further, please revise the SWP3 to meet the requirements of the appropriate NPDES permit and submit a copy to me **no later than March 30, 2012**.

If you have any questions, please contact me at (330) 963-1145.

Sincerely,



Dan Bogoevski  
District Engineer  
Division of Surface Water

DB/cs

cc: Allen Youngman, Cleveland Scrap  
Todd Sciano, Engineer, Village of Valley View

ec: Michael Joseph, Ohio EPA, DSW, CO

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