



**City of Cleveland**  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erieview Plaza, Second Floor  
Cleveland, Ohio 44114-1839  
216/664-2297 • Fax: 216/420-8047  
www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7012 2210 0000 5209 1844  
RETURN RECEIPT REQUESTED**

October 4, 2013

Ken Martin  
Chieftain Trucking & Excavating  
3926 Valley Road, Suite 300  
Cleveland, OH 44109

**NON-HPV**

**FACILITY ID: 13-18-00-8733**

**NOTICE OF VIOLATION: Operating Emission Units (EUs) without state permits and failure to obtain a City of Cleveland permit-to-operate by not submitting a City of Cleveland permit fee for calendar year 2013**

Dear Mr. Martin:

On October 1, 2013, the Cleveland Division of Air Quality (CDAQ) inspected Chieftain Trucking & Excavating located at 3926 Valley Road in Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Chieftain Trucking & Excavating has been operating Emission Units (EUs) F005: Unpaved roadways and parking areas, F006: Storage piles and F007: Material handling operation without permits since the facility requested its permits be withdrawn dated March 13, 2013 (see attached). Operating air Emission Units (EUs) without state permits is a violation of Ohio Administrative Code (OAC) Rule 3745-31-02(A)(1)(c) and Ohio Revised Code (ORC) Section 3704.05(F).

Chieftain Trucking & Excavating has also failed to obtain a City of Cleveland permit-to-operate by not submitting a City of Cleveland permit fee for EUs F005, F006 and F007 for calendar year 2013. This is a violation of City of Cleveland's Codified Ordinances 259.01 and 263.01.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Chieftain Trucking & Excavating submit permit applications for the unpaved roadways and parking areas, storage piles and material handling operation to the following address:

Permit Section  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839



Permit applications can be found online at the following web addresses:  
<http://www.epa.ohio.gov/dapc/genpermit/genpermits.aspx> (for model general permit applications, if the facility meets the qualifying criteria) and  
<http://epa.ohio.gov/dapc/fops/eac/eacforms.aspx> (for Permit To Install and Operate applications).

CDAQ also requests that Chieftain Trucking & Excavating obtain a City of Cleveland permit-to-operate by submitting a City of Cleveland permit fee for EUs F005, F006 and F007 for calendar year 2013 to the following address:

City Permit Fees  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

Your written response to this letter must be received by CDAQ within thirty (30) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in ORC Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars (\$25,000) or imprisonment for not more than one year, or both, for each violation.

CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action.

Should you have any questions, please call Andrew Marantides at (216) 420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for Chieftain Trucking & Excavating: 13-18-00-8733.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ

VW/AM LK

cc: Gary Nied, consultant  
Sarah Buzas, CDAQ  
George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V  
L:\Data\Facilities\1318008733\2013-10-1 NOV.docx

encl: City of Cleveland permit invoice for calendar year 2013  
Withdrawal request form



City of Cleveland  
 Frank G. Jackson, Mayor

Department of Public Health  
 Division of Air Quality  
 75 Erieview Plaza, Suite 200  
 Cleveland, Ohio 44114-1839

October 4, 2013

## 2013 City of Cleveland Air Contaminant Source Invoice

Cargill Salt Division c/o Indy Equipment

Facility ID:

**13-18-00-8124**

Facility Location:

3926 Valley Road  
 Cleveland Ohio 44109

Source	Air Contaminant Source Name and Description	Fee
F001	Unpaved plant access roadway	\$50.00
F002	Material storage pile	\$50.00
F003	Material handling operation	\$50.00

**Total Fee for Facility: \$150.00**

13-18-00-8124

By signing this form, I affirm, based on information and belief formed after reasonable inquiry, that all factual statements in this report are true and complete to the best of my knowledge, and that all judgments and estimates provided in this report have been made in good faith. I further affirm that this listing comprises a complete listing of all air contaminant sources at this facility, or that I have enclosed permit application forms addressing all air contaminant sources not listed. I understand that the data provided in this document is used by the City of Cleveland to calculate a fee, which my facility is required to pay under Chapter 263 of the City of Cleveland Health Code.

Signature of Responsible Official: \_\_\_\_\_ *Amount Remitted* \_\_\_\_\_

\_\_\_\_\_  
*Name (please print)* *Title (please print)* *Phone Number (please print)*

**Please return this Air Contaminant Source Invoice bearing an original signature as well as any additional permit applications along with the Total Fee for Facility shown above to:**

City Permits Section  
 Division of Air Quality  
 75 Erieview Plaza, Suite 200  
 Cleveland, OH 44114 - 1839

Payment must be received by:

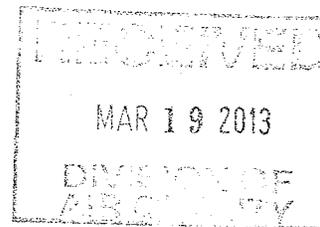
**July 31, 2013**

**THANK YOU!**

Funds must be made payable to:  
 Treasurer, City of Cleveland.

# GRANGER MATERIALS, INC.

3926 Valley Road · Cleveland, Ohio 44109



March 13, 2013

City of Cleveland  
Cleveland Division of Air Quality  
Attn: Ms. Sarah Buzas, Environmental Compliance Specialist I  
75 Erievue Plaza, Second Floor  
Cleveland, Ohio 44114

Re: Granger Materials, Inc.  
Source ID: 13-18-00-8733  
Notice of Source Closure and Permit Withdrawal  
Portable Aggregate Recycling Operation

Dear Ms. Buzas:

Granger Materials, Inc. is hereby notifying the City of Cleveland, Division of Air Quality that Source ID: 13-18-00-8733 is permanently closed for operation effective immediately. This portable screening and stacking operation has been physically removed from service and will not operate again. Permits associated with this Source ID are as follows:

Permit P0105671 (F001, F002, and P901)  
Permit P0105981 (F003 and F004)

Sources covered by these two permits are as follows:

F001 – Aggregate Screen #1  
F002 – Aggregate Screen #2  
P901 – Portable Stacker with stacker diesel generator  
F003 – Unpaved Roadways and Parking Areas  
F004 – Storage Piles

Please withdraw these sources from your local files and Ohio EPA files. You may contact the undersigned at (216) 741-6144 if you have any questions or need additional information.

Sincerely,

  
\_\_\_\_\_  
Ken Martin  
President