



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

May 15, 2007

CERTIFIED MAIL

0243011330

Mr. Mark Belich
Great Lakes Crushing Ltd.
36550 Lakeland Blvd.
Eastlake, OH 44095

RE: Notice of Violation
Unpermitted Portable Crusher

Dear Mr. Belich:

This a Notice of Violation regarding Great Lakes Crushing (GLC) Ltd.'s operation of a Portable Crusher Plant without first obtaining Ohio EPA air pollution control permits-to-install (PTI) and -operate (PTO) within the State of Ohio, as required by Ohio Administrative Code (OAC) Rule 3745-31-02 and OAC Rule 3745-35-02(A). Further, OAC Rule 3745-15-07(A) prohibits any person from causing or permitting an air pollution public nuisance.

Specifically, on April 23, 2007, the City of Cleveland's Division of Air Quality (DAQ) received a citizen's complaint about fugitive dust emissions resulting from the operation of a Portable Crusher Plant at East 116th St. and Buckeye Rd. Upon investigation, it was determined that Great Lakes Crushing Ltd. was the onsite contractor.

The DAQ's inspector, Mr. Michael Samec, saw visible emissions of fugitive dust at the crusher and from the earth moving equipment operating onsite. Mr. Samec spoke with you and learned that the job at said site was to be completed within the week.

The Cleveland's DAQ referred this matter to Ohio EPA for follow-up. We then contacted GLC Ltd.'s office and were referred to Affinity Consultants, Inc., regarding the permit status of the Portable Crusher Plant. Mr. Tim Schwendeman of Affinity said that the equipment which is used, had recently been acquired and it's process capacity was not known at time of purchase. He further indicated that it has now been determined that said equipment does not qualify for the Permit-by-Rule PTI exemption in OAC Rule 3745-31-03(d).

Please submit the necessary PTI and PTO applications for the Portable Crusher Plant within 10 days of your receipt of this notice. Please include a fugitive dust control compliance plan in which you detail how GLC Ltd. will prevent any future fugitive dust emissions nuisances.

MR. MARK BELICH
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Failure to submit the necessary permit applications and compliance plan may result in the referral of this matter to our central office for enforcement action.

The submission of the requested permit applications and compliance plan does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in Ohio Revised Code 3704.06. Ohio EPA will decide whether to pursue penalties regarding this matter at a later date.

If there are any questions or if you wish to discuss this matter please feel free to call Mr. Ken Djukic at 330-963-1247.

Sincerely,



Dennis Bush
Environmental Manager
Division of Air Pollution Control

DB:bo

cc: Ken Djukic, DAPC, NEDO
Sarah Rehner, Cleveland DAQ