



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Clevelin Plaza, Suite 200
Cleveland, Ohio 44114-1839
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www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL : 7009 3410 0002 1934 0304
RETURN RECEIPT REQUESTED

June 14, 2010

Ralph Kyanko
Kokosing Materials Inc.
P.O. Box 334
Fredericktown, Ohio, 43019

FACILITY ID: 01-42-00-0403
NOTICE OF VIOLATION FOLLOW-UP LETTER

Dear Mr. Ralph Kyanko:

On November 2, 2009, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Kokosing Materials Inc. to abate the odor nuisance. In response to the Emissions Modeling and permit modification requirements, Kokosing Materials Inc. has raised the height of the stack, installed vapor condensers on the asphalt storage tanks, and updated to rubber gaskets on the conveyor system, as of May 21, 2010. CDAQ acknowledges these actions as an acceptable response to the November 2, 2009 Notice of Violation, and has closed said violation. This is in keeping with our discussion at Ohio EPA headquarters on February 24, 2010.

Also in keeping with the February 24, 2010 discussion, if nuisance odor complaints continue to be received and confirmed by CDAQ, a new Notice of Violation will issued and will require additional corrective actions on the part of Kokosing Materials, Inc.

CDAQ issues this letter with Ohio EPA's concurrence and 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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Kokosing Materials Inc: 01-42-00-0403.

Sincerely,

George Baker
Chief of Enforcement

GB/BS\K

cc: John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Kelly Toth, Central District Office
Todd Scarborough, Central District Office
Facility File and I:\Data\Facilities\0142009403\2009-10-13 NEAR.docx

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ralph Kyanko
 Kokosing Materials Inc.
 P.O. Box 334
 Fredericktown, Ohio, 43019

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Ron Fry* Agent
 Addressee

B. Received by (Printed Name) *Ron Fry* C. Date of Delivery *10/23/10*

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