



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114-2080
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

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

**CERTIFIED MAIL 7002 2030 0001 1807 8559
RETURN RECEIPT REQUESTED**

July 10, 2008

Mr. Bill McMurtry, VP Env. Affairs
Darling International
251 O'Connor Ridge Road
Suite 300
Irving, Texas 75038

**FACILITY ID: 1318001620
NOTICE OF VIOLATION / AIR POLLUTION NUISANCE**

Dear Mr. McMurtry:

On June 30, 2008, the Cleveland Division of Air Quality (CDAQ) responded to an odor complaint at Darling International located at 3275 West 65th Street 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:

Darling International is in violation of the Codified Ordinances of the City of Cleveland section 277.08 and the Ohio Administrative Code (OAC) 3745-15-07, which states:

The emission or escape into the open air from odors in such manner or in such amounts as to endanger the health, safety or welfare of the public is a public nuisance. Such odors that interfere with the comfortable enjoyment of property or normal conduct of business is hereby declared to be a public nuisance.

Darling International is allowing odors to permeate from the off-loading building and creating an air pollution public nuisance.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Darling International submit a corrective action plan stating what will be done to eliminate and/or reduce the odors to the following enforcement representative:



CLEVELAND DIVISION OF AIR QUALITY

1925 ST. CLAIR AVENUE • CLEVELAND, OH 44114-2080

Page 2
R: 03/11/05

Linda Kimmy
Cleveland Division of Air Quality
1925 St. Clair Avenue NE
Cleveland, Ohio 44114-2080

Your written response to this letter must be received by CDAQ within fourteen (14) 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 Ohio Revised Code Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars 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 Linda Kimmy at 216-664-2985. All correspondence with CDAQ must include the Ohio EPA facility identification number for Darling International: 1318001620.

Sincerely,



George Baker
Chief of Enforcement, CDAQ

GB/LK 

cc: Laurie Horvath, Service Manager, Darling International - Cleveland
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318001620\2008-06-30 NOV.doc