



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 7006 2760 0000 3705 2784
RETURN RECEIPT REQUESTED**

September 25, 2007

Mr. Bob Hooper
Potters Industries
2380 West 3rd Street
Cleveland, Ohio 44113

**FACILITY ID: 1318002733
NOTICE OF VIOLATION: AIR POLLUTION NUISANCE**

Dear Mr. Hooper:

On September 7, 2007, the Cleveland Division of Air Quality (CDAQ), in response to an air complaint, inspected Potters Industries located at 2380 West 3rd Street in Cleveland, Ohio. CDAQ observed winds gusting and glass swirling in piles located on Potters Industries property. Glass bead samples were collected from a property located on West 5th street. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Potters Industries' operation of glass bead storage piles is in violation of the Ohio Administrative Code 3745-15-07 by causing an air pollution nuisance on or about September 6, 2007.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Potters Industries submit a corrective action plan explaining how Potters Industries will prevent glass beads from leaving their premises to the following enforcement representative:

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 Potters Industries: 1318002733.

Sincerely,

A handwritten signature in cursive script that reads "Valerian White for GB".

George Baker
Chief of Enforcement, CDAQ

GB/LK

cc:

Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318002733\2007-09-25 NOV.doc

Potters Industries Inc.

an affiliate of The PQ Corporation

Potters Industries
2380 West 3rd Street
Cleveland, Ohio 44113
October 10, 2007

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

Attn.: Linda Kimmy
Re: Facility ID: 1318002733
Notice of Violation: Air Pollution Nuisance

Dear Ms. Kimmy:

In reference to your letter of September 25, 2007, Potters Industries has taken the following steps to ensure compliance with Ohio Administrative Code 3745-15-07.

- On September 7, 2007, immediately following your visit to our facility, a sprinkler was obtained and the glass cullet pile was wet down to ensure there would be no dust.
- The sprinkling system is now used whenever the glass is dry or dust is noticed.
- This issue has been discussed with our engineering group and we are looking at possible options that can be used to control dusting.

Upon conducting an investigation after your notification of the problem, we were not able to find any glass dust in the West 5th street area. There was, however, blowing dust in the area that was caused by the construction and landscaping. The dust levels were very high due to the dry weather that preceded the event and high winds.

Confirming our telephone discussion on October 5, 2007, it is our goal to be a good neighbor and attempt to address any issue in a timely matter. We would appreciate the opportunity to be made aware of any situation when it happens so that it can be addressed immediately. To that end, I have included my cell phone number where I can be reached any time there is an issue involving Potters Industries. Since we have not had a complaint (that we are aware of) from any of our neighbors in over 7 years, it is our hope that this was an isolated incident.

If you require any further information, please do not hesitate to contact me.

Sincerely,



Robert Hooper
Plant Manager
216-337-4914 (cell)
216-621-0840 (plant)

2007 OCT 12 10:28 AM
2007 OCT 12 10:28 AM
2007 OCT 12 10:28 AM