



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 7010 0780 0001 1190 4575
RETURN RECEIPT REQUESTED**

December 8, 2011

Jake Youngman
Bulldog Asset Recovery and Collection, LLC
5850 West Canal Rd.
Valley View, OH 44125-3327

NON-HPV

FACILITY ID: n/a

SECOND NOTICE OF VIOLATION: operating sources of air emissions without submitting a permit-to-install/operate application

Dear Mr. Youngman:

On October 27, 2011, Cleveland Division of Air Quality issued a Notice of Violation for the failure to submit a permit-to-install/operate application. This letter serves as notification that you are still operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

West Canal Street Material Handling's operation of unpaved plant roadways and parking lots, material storage piles and a portable screening plant is in violation of Ohio Administrative Code Rule 3745-31-02(A) and Ohio Revised Code (ORC) Sections 3704.05(F) and (G). West Canal Street Material Handling has been operating these emissions units (EUs) since March 29, 2011 without submitting permit-to-install/operate (PTIO) applications and emissions activity category (EAC) forms as required by state rules.

West Canal Street Material Handling is to be reminded that even if operations at the current location are closing, PTIO applications still need to be completed. The screening plant is considered a portable source and needs to be permitted even if it relocated to another county.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that West Canal Street Material Handling submit PTIO applications and EAC forms to the following address:

Permit Section
Cleveland Division of Air Quality
75 Erieview Plz., Fl. 2
Cleveland, Ohio 44114-1839



Your written response to this letter must be received by CDAQ within 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.

Permit applications and supplemental forms may be downloaded from the Ohio EPA's website: <http://www.epa.ohio.gov/dapc/fops/eac/eacforms.aspx> Please note that all permit applications submitted to CDAQ must include original signatures. Photocopied signatures are not valid; the application will not be accepted by CDAQ and will be returned to you if original signatures are not provided.

Alternately, PTIO applications may be completed through the Ohio EPA eBusiness Center at <https://ebiz.epa.ohio.gov/>. An account is required to be created and a pin number assigned.

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 \$25,000 or imprisonment for not more than one year, or both, for each violation.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or 614/644-3469 or 800/329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP.

OCAPP can also provide assistance to facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production. Again, there is no charge for their services.

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. If you have any questions, please call David Wagner at 216/664-3004.

Sincerely,

Linda Kimmy
Field Enforcement Manager

LK/dlw

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\Unassigned\Bulldog Asset Recovery\2011-10-17 NOV.docx