



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 8269  
RETURN RECEIPT REQUESTED

December 12, 2008

James May  
Oglebay Norton, Cleveland Bulk Terminal  
1001 Lakeside Ave E STE 1500  
Cleveland, Ohio 44114

HIGH PRIORITY FACILITY  
HIGH PRIORITY VIOLATOR - [GC7]

FACILITY ID: 1318006458  
NOTICE OF VIOLATION: EXCEEDING LIMITATIONS OF  
PERMIT-TO-INSTALL #13-4611

Dear Mr. May:

On October 27, 2008, the Cleveland Division of Air Quality (CDAQ) inspected Oglebay Norton, Cleveland Bulk Terminal located at 5400 Whiskey Island 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.

Oglebay Norton's operation of emission unit (EU) F003: Material handling, ship unloading, and railcar loading is in violation of Permit-to-Install (PTI) #13-4611 terms & conditions Part II.B.3. and of the Ohio Revised Code (ORC) Section 3704.05(C) & (G) for failing to maintain the silt content of limestone at 2% or less since the middle of the 2<sup>nd</sup> quarter of 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 Oglebay Norton, Cleveland Bulk Terminal to submit a correction action plan that will keep the silt content of limestone at 2% or less to the following enforcement representative:

Mike Samec  
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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for Oglebay Norton, Cleveland Bulk Terminal: 1318006458.

Sincerely,

George Baker  
Chief of Enforcement, CDAQ

GB/ms

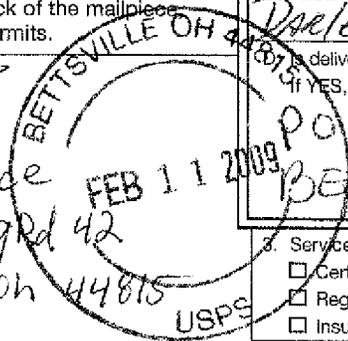
cc: Richard Nemeth and Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318006458\2008-11-20 NOV.doc

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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: 00-6458

Lindon Pierce  
 1967 W Countard Rd 42  
 Bettsville, Oh 44815



**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Darlene Truman  Addressee

B. Received by (Printed Name) Darlene Truman C. Date of Delivery 2/11/09

Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

PO BOX 708  
BETTSVILLE OH 44815

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7002 2030 0001 1808 7766