



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 7001 2510 0006 1130 7226  
RETURN RECEIPT REQUESTED**

August 2, 2007

Beth Mowery  
The Shelly Co.  
8775 Blackbird Road P.O. Box 266  
Thornville, OH 43076

**HIGH PRIORITY FACILITY**

**EMISSIONS VIOLATION**

**FACILITY ID: 1318007398**

**NOTICE OF VIOLATION: VISIBLE EMISSIONS VIOLATION**

Dear Ms. Mowery:

On August 1, 2007, the Cleveland Division of Air Quality (CDAQ) inspected The Shelly Company Plant (Allied #76) located at 400 Literary Road 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.

A Method 9 visible emissions (VE) test was conducted on P902: 600 TPH Gencor Asphalt Mixer. A 51.25% opacity was recorded as a six minute average. This source is permitted such that VE from the stack shall not exceed 20% opacity as a 6 minute average. This is a violation of Ohio Administrative Code 3745-17-07(A), Ohio Revised Code 3704.05(A),(C),(G), and permit-to-install #13-3947.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Allied Corporation submit a corrective action plan within fourteen (14) days of your receipt of this letter to the following enforcement representative:

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



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 Kristoffer Gontkovsky at 216-420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for The Shelly Company: 1318007398.

Sincerely,

*Valencia White for GPB*

George Baker  
Chief of Enforcement, CDAQ

GB/kg

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\1318007398\2007-08-01 NOV.doc

Enclosure: Copy of Method 9 sheet.



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Lisa Holscher, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318007398\2007-08-01 NOV.doc

Enclosure: Copy of Method 9 sheet.

SOURCE NAME			OBSERVATION DATE									
ALIED (SHELLY)			START TIME 16:24				END TIME 16:53					
ADDRESS			SEC				SEC					
100 LITERARY (S W 3RD)			MIN	0	15	30	45	MIN	0	15	30	45
CITY	STATE	ZIP	1					31	50	40	40	40
CLEVELAND	OH	44113	02					32	40	35	45	40
PHONE	SOURCE ID NUMBER		03					33	35	60	40	35
(740) 246-5009	1318 007398		04					34	30	30	70	35
PROCESS EQUIPMENT	OPERATING MODE		05					35	40	35	45	40
P902	OPER		06					36	40	45	50	50
CONTROL EQUIPMENT	OPERATING MODE		07					37	40	55	55	55
BAHOUSE	OPER		08					38	50	40	50	70
DESCRIBE EMISSION POINT			09					39	75	55	60	50
START STACK	STOP		10					40	50	40	40	45
HEIGHT ABOVE GROUND LEVEL	HEIGHT RELATIVE TO OBSERVER		11					41	45	60	75	40
START 100 ft	STOP		12					42	50	30	30	40
DISTANCE FROM OBSERVER	DIRECTION FROM OBSERVER		13					43	40	40	30	30
START 200 yd	STOP		14					44	35	65	30	30
START	STOP	START	STOP	15				45	35	30	30	35
START EAST	STOP		16					46	45	60	40	45
DESCRIBE EMISSIONS			17					47	35	30	55	30
START BROWN SMOKE	STOP		18					48	15	15	15	25
EMISSION COLOR	PLUME TYPE CONTINUOUS <input checked="" type="checkbox"/>		19					49	20	35	20	25
START BROWN	STOP		20					50	30	30	25	15
	W/BURSTS OF SMOKE <input type="checkbox"/>		21					51	15	15	20	20
	FUGITIVE <input type="checkbox"/>		22					52	20	20	25	25
	INTERMITTENT <input type="checkbox"/>		23					53	35	30	25	20
WATER DROPLETS PRESENT:	IF WATER DROPLET PLUME:		24	40	35	40	40	54				
NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>		25	35	30	40	40	55				
	ATTACHED <input type="checkbox"/>		26	45	50	40	50	56				
	DETACHED <input type="checkbox"/>		27	45	40	30	30	57				
POINT IN THE PLUME AT WHICH OPACITY WAS DETERMINED			28	40	40	40	50	58				
START 10 FT ABOVE OPENING	STOP		29	45	40	40	40	59				
START 10 FT ABOVE OPENING	STOP		30	50	50	60	60	60				
DESCRIBE BACKGROUND			AVERAGE OPACITY FOR HIGHEST PERIOD 51.25			NUMBER OF READINGS ABOVE 20% WERE 106/130						
START TREES/HILLSIDE	STOP		RANGE OF OPACITY READINGS 15 MINIMUM 75 MAXIMUM			OBSERVER'S NAME (PRINT) S. GONTKOVSKY						
BACKGROUND COLOR	SKY CONDITIONS		OBSERVER'S SIGNATURE [Signature]			DATE 8/01/07						
START GREEN	STOP		OBSERVER'S SIGNATURE [Signature]			DATE 4/5/07						
START CLEAR	STOP		OBSERVER'S SIGNATURE [Signature]			DATE 8/2/07						
WIND SPEED	WIND DIRECTION		I HAVE RECEIVED A COPY OF THESE OPACITY OBSERVATIONS SIGNATURE			DATE						
START 5 MPH	STOP		TITLE			DATE						
START NE	STOP		DATE			DATE						
START WET	STOP		DATE			DATE						
START 85%	STOP		DATE			DATE						

Source Layout Sketch

Draw North Arrow

Sun Location Line

140°

Sun

Wind

Plume and Stack

Observers Position

Emission Stack