



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
1925 St. Clair Ave.  
Cleveland, Ohio 44114-2080  
216/564-2297 • Fax: 216/420-8047  
www.clevelandhealth.org

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

**CERTIFIED MAIL 7006 2760 0000 3705 2685  
RETURN RECEIPT REQUESTED**

August 27, 2007

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

**ALLIED PLANT #76**

**FACILITY ID: 1318007398  
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Ms. Mowery:

On August 2, 2007, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring The Shelly Company to submit a corrective action plan to correct emissions violations for Allied Plant #76 located at 2100 West 3<sup>rd</sup> Street in Cleveland. CDAQ is in receipt of a corrective action plan dated August 16, 2007, stating that 12 bags were replaced in the baghouse.

The corrective action plan was received in a timely manner and appropriate steps were taken to bring the source into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.

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,

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 NEAR.doc

Telephone 740-246-5009  
FAX 740-246-6810



P.O. Box 266  
Thornville, Ohio 43076

8775 Blackbird Lane  
Thornville, Ohio 43076

---

Shelly Materials  
Quality Control Laboratory

---

16 August 2007

VIA PRIORITY AND CERTIFIED MAIL

Certified No.: 70041160000337088446

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

Re: *Allied Corporation Plant #76*  
*Facility Id: 13-18-00-7398*  
*Notice of Violation: Visible Emissions*

Dear Mr. Gontkovsky:

The purpose of this correspondence is to provide information in response to a notice of violation from Cleveland Division of Air Quality ('City of Cleveland') on 2 August 2007 concerning visible emissions of the baghouse stack servicing Allied Corporation Plant #76 emissions unit P902 (600 TPH drum mix asphalt plant).

As stated in the notice of violation, it was indicated that there were exceedances of the permitted 20% opacity limitations as specified in PTI #13-03947, with an average of 51.25% opacity over a 30 minute period. The City of Cleveland has requested the following action; within 14 days after receipt of the above mentioned notice of violation letter Allied is to submit an action plan.

Allied has inspected the stack and baghouse and noted no problems with the air pollution control equipment. As a precaution 12 bags were replaced in the baghouse. Allied will continue to monitor the baghouse stack to see if there is indication that more bags may need to be replaced. Allied will also concentrate on stockpile management.

If there are any questions please feel free to call this office at the number above.

Kind Regards,

Beth L. Mowrey  
Manager of Environmental Permitting and Compliance  
The Shelly Company

Cc: Mr. Richard Nemeth and Michael J. Krzywicki, CDAQ  
Mr. John Paulian, DAPC/CO  
Ms. Lisa Holscher, USEPA  
Mr. Paul Rice, The Shelly Company, via electronic mail  
Mr. Doug Rauh, Allied Corporation, via electronic mail

