



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
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 : 7003 1010 0004 2923 5908
RETURN RECEIPT REQUESTED**

May 25, 2010

Carl Barricelli
Ontario Stone Corporation
1246 River Road
Cleveland, Ohio, 44113

NON-HPV

FACILITY ID: 13-18-00-7818

NOTICE OF VIOLATION: Failure to submit a Permit-to-Operate (PTO) renewal application for Emission Unit (EU) F001, and failure to obtain 2006-2008 city permit fees

Dear Mr. Barricelli:

On May 14, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Ontario Stone Corporation located at 2424 Canal 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.

Ontario Stone Corporation failed to submit a PTO renewal application for EU F001: Limestone, Salt, and Coal Storage Piles, which is in violation of Ohio Administrative Code (OAC) Rule 3745-31-02 (A)(1), and Ohio Revised Code (ORC) Section 3704.05 (C). Ontario Stone Corporation's PTO expired on December 28, 1998.

In addition, Ontario Stone Corporation is in violation of the City of Cleveland's Codified Ordinance Chapters 259.01, and 263.01 for failing to obtain 2006-2008 city permits-to-operate by submitting city permit fees.

Unless you undertake some type of corrective action with respect to the above noted violations you will remain in non-compliance. CDAQ requests that Ontario Stone Corporation submit a Permit-to-Install/Operate (PTIO) Application and Emission Activity Category (EAC) Form for EU F001 within thirty (30) days of your receipt of this letter to the to the following address:

Permit Section
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839



CDAQ also requests the Ontario Stone Corporation obtain 2006-2008 city permits to operate by submitting city permit fees within thirty (30) days of receipt of this letter to the following address:

City Permit Fee Invoices
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

If there is insufficient time to correct the alleged violations within this timeframe, a written response must be received within thirty (30) days of receipt of this letter that includes a timeline for correcting the alleged violations.

The appropriate permit application(s) and supplemental form(s) can be found at:

<http://epa.ohio.gov/dapc/fops/eac/eacforms.aspx>

Please note that all permit application(s) and supplemental form(s) 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.

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.

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.



Should you have any questions, please call Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Ontario Stone Corporation: 13-18-00-7818.

Sincerely,

Linda Kimmy for G.B.

George Baker
Chief of Enforcement

GB/BS

cc: John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318007818\2010-5-14 NOV.docx

encl: 2006-2008 City Permit Fee Invoices

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:

Carl Barricelli
Ontario Stone Corp.
1246 River Road
Cleveland, Ohio 44113

2. Article Number
(Transfer from s)

7003 1010 0004 2923 5908

13-13-00-7818

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
Carl Barricelli Addressee
- B. Received by (Printed Name) C. Date of Delivery
C. Date of Delivery: 01/10
- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

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

4. Restricted Delivery? (Extra Fee) Yes