



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Frieview 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 : 7002 2030 0001 1807 9822  
RETURN RECEIPT REQUESTED

September 3, 2009

Brian Baumann  
American Eagle Recycling  
4510 East 71<sup>st</sup> Street, Suite 6  
Cleveland, Ohio 44105

NON-HPV

FACILITY ID: 13-18-00-8084

NOTICE OF VIOLATION : Failure to submit a Notice of Intent to Relocate, and failure to submit Permit-to-Install/Operate (PTIO) applications

Dear Mr. Baumann:

On August 10, 2009, the Cleveland Division of Air Quality (CDAQ) inspected American Eagle Recycling located at 11293 Royalton Road in North Royalton. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

American Eagle Recycling's operation of emission unit (EU) F002: Eagle Ultramax 185 ton/hr portable crushing plant, is in violation of PTI #13-3408, Part I - General Permit Conditions: Notice of Intent to Relocate(c), the Ohio Administrative Code (OAC) Rule 3745-31-03(A)(1)(p), and the Ohio Revised Code (ORC) Section 3704.5(C), for failing to submit a Notice of Intent to Relocate.

American Eagle Recycling has also failed to submit a Notice of Intent to Relocate for EU F005: Pegson 428 Trakpactor 185 tons/hour capacity portable crusher unit, which is in violation of PTI #13-04065, Part I - General Permit Conditions: Notice of Intent to Relocate(c), OAC Rule 3745-31-03(A)(1)(p), and ORC Section 3704.5(C).

In addition, American Eagle Recycling's operation of EU's F003, F004, and F005 are in violation of PTI #13-04065, Part I - General Permit Conditions (A)(13), and OAC Rule 3745-31-02(A)(1), for failing to submit PTIO applications.

The Eagle Ultramax 185 ton/hr portable crushing plant (F002) is operating without storage pile or roadway permits. CDAQ requests that American Eagle Recycling submit PTIO applications for roadways and storage piles, specifically for EU F002.



American Eagle Recycling has been in non-compliance since relocation of EUs F002 and F005 and will remain in non-compliance unless you undertake some type of corrective action with respect to the above noted violations. CDAQ requests that American Eagle Recycling submit a Notice of Intent to Relocate for EUs F002 and F005, within 30 days of receipt of letter, to the following compliance representative:

Sara Rehner  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

CDAQ also requests that American Eagle Recycling submit PTIO applications for EU's F002, F003, F004, and F005, within 30 days of receipt of this letter, to the following CDAQ representative:

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

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

The appropriate permit application(s) and supplemental form(s) for a PTIO can be downloaded at <http://www.epa.ohio.gov/dapc/fops/eac/eacforms.aspx>, or for a notice of intent to relocate at <http://www.epa.ohio.gov/LinkClick.aspx?fileticket=sTUblbiW7Dg%3d&tabid=2818>.

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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for American Eagle Recycling: 13-18-00-8084.

Sincerely,

George Baker  
Chief of Enforcement

GB/BS JK

cc: John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318008084\2009-8-10 NOV.docx

**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:

Brian Baumann  
American Eagle Recycling  
4510 East 71<sup>st</sup> Street, Suite 6  
Cleveland, Ohio 44105

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
x *Bobbie Minter*  Agent  Addressee

B. Received by (Printed Name) *BOBBIE MIXTER* Date of Delivery *9/24/09*

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

2. Article Number *7002 2030 0001 1807 9822* Premise # *13-18-00-8094*  
(Transfer from s)

# AMERICAN EAGLE RECYCLING, INC.

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4510 East 71<sup>st</sup> Street - Cleveland, Ohio 44105

October 14, 2009

City of Cleveland  
Cleveland Division of Air Quality  
Attn: Ms. Sarah W. Rehner  
75 Erieview Plaza, Second Floor  
Cleveland, Ohio 44114

Re: American Eagle Recycling, Inc.  
Permit to Install/Operate Applications  
Source ID: 13-18-00-8084  
Sources F002, Z001, Z002, and Z003

Dear Ms. Rehner:

Based upon your recent inspection, American Eagle Recycling, Inc. is applying for the following permits:

- [1] A Permit to Operate for Source F002
- [2] A Permit to Install/Operation (PTIO) for three pieces of equipment (Z001, Z002, and Z003) which are a part of American Eagle's existing portable aggregate crushing and screening operation. The equipment is associated with the portable aggregate recycling unit (13-18-00-8084 F002) which is a permitted source under Permit to Install 13-3408.

The first additional source is the roadways and parking area. The second additional source is the storage piles. The third additional source is a diesel powered generator for the portable crushing unit.

Included with this cover letter are the following: (1) PTO Application form, (2) PTIO Application form, (3) Emissions Activity Category Forms 3111, 3112, 3133, and 3862, (4) Process Flow Diagram, and (5) all corresponding calculations.

You make contact the undersigned at (216) 429-1700 if you should have any questions or need additional information.

Sincerely,



Brian Baumann  
President  
enc:

OCT 19 2009

# AMERICAN EAGLE RECYCLING, INC.

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4510 East 71<sup>st</sup> Street - Cleveland, Ohio 44105

October 14, 2009

City of Cleveland  
Cleveland Division of Air Quality  
Attn: Ms. Sarah W. Rehner  
75 Erieview Plaza, Second Floor  
Cleveland, Ohio 44114

Re: American Eagle (BL-Pegson) Recycling, Inc.  
Permit to Install/Operate Applications  
Source ID: 13-18-00-8731  
Sources F003, F004, F005, and Z001

Dear Ms. Rehner:

Based upon your recent inspection, American Eagle Recycling, Inc. is applying for the following permits for our BL-Pegson Portable Aggregate Recycling Unit:

- [1] A Permit to Operate for Sources F003, F004, and F005
- [2] A Permit to Install/Operation (PTIO) for one additional piece of equipment (Z001) which is part of American Eagle's existing BL-Pegson portable aggregate crushing and screening operation. The piece of equipment is associated with the portable aggregate recycling unit (13-18-00-8731 F003, F004, and F005). This is a permitted source under Permit to Install 13-04065.

The additional source is a diesel powered generator for the portable crushing unit. Included with this cover letter are the following: (1) PTO Application form, (2) PTIO Application form, (3) Emissions Activity Category Forms 3111, 3112, 3133, and 3862, (4) Process Flow Diagram, and (5) all corresponding calculations.

You make contact the undersigned at (216) 429-1700 if you should have any questions or need additional information.

Sincerely,



Brian Baumann  
President

enc: