



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
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 #7010187000065911840
RETURN RECEIPT REQUESTED**

September 8, 2011

Mr. Ray Wiecek
Independence Recycling, Inc.
5720 Schaaf Rd
Independence, OH 44131

FACILITY ID: 13-18-95-8479

THIRD RECEIPT OF CORRECTIVE ACTION PLAN: Failing to Perform Required Performance Testing

Dear Mr. Wiecek:

On June 7, 2011, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that Independence Recycling, Inc. (Independence), located at 2615 West 3rd Street in Cleveland, submit a 30-Day Intent to Test as required by the Special Terms and Conditions of Permit To Install #13-04621, Part III (A) (4) (3). CDAQ received a Notification of Intent to Test letter dated June 27, 2011, which scheduled testing for July 29, 2011.

CDAQ received a letter dated July 28, 2011, from Tyson Houchin of Air Compliance Testing, Inc. stating that there was an equipment failure at Independence which would not allow Independence to perform required testing on the scheduled date of July 29, 2011. The letter requests that the testing be performed on August 9, 2011.

On August 8, 2011, Tyson Houchin of Air Compliance Testing, Inc. notified CDAQ via email that Independence Recycling could not perform required testing on August 9, 2011. Tyson Houchin requested that the required testing date be moved to August 16, 2011. CDAQ denied the request and asked that the required testing be rescheduled.

To this date the required testing has not been rescheduled. Independence Recycling is still in violation of failing to perform required performance testing.

CDAQ requests that Independence Recycling reschedule required testing within seven (7) days of receipt of this letter.

Failure to do so may result in referral to Ohio EPA or U.S. EPA for further enforcement action. Fulfillment of your commitments included in the corrective

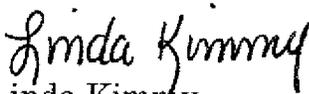


action plan and/or any modifications contained within this letter does not constitute a waiver of CDAQ's ability to refer this matter to Ohio EPA or U.S. EPA for further enforcement action. Please submit any future correspondence related to this matter to the following enforcement representative:

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

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 Andrew Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Independence Recycling, Inc.: 13-18-95-8479.

Sincerely,


Linda Kimmy
Field Enforcement Manager, CDAQ

LK/ak

cc: Vic DiGeronimo, President Independence Recycling
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318958479\2011-5-17 RCAP3.doc

Compliance Stack Emission Test Report

Determination of Visible Emissions

Portable Rock Crushing Plant (F001)

EPA Method 9

Independence Recycling, Inc.

Cleveland, Ohio

Date Conducted: September 29, 2011

Job Number: 110711

Prepared by:

Air Compliance

Testing, Inc.

PO Box 41156

Cleveland OH 44141-0156

Phone: (800) EPA-AIR! (372-2471)

Report Date: October 21, 2011

**Superior Quality
Emission Testing.**

**Valid Results
Guaranteed.**

Air Compliance

Testing, Inc.

P.O. Box 41156 Cleveland, Ohio 44141
1-800-EPA-AIR1 www.aircomp.com
testing@aircomp.com

October 21, 2011

Ray Wiecek
Risk Management Director
Independence Recycling, Inc.
5720 Schaaf Rd.
Independence, Ohio 44131

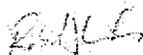
Dear Ray:

The following report provides the results of the compliance emission testing conducted on September 29, 2011. These results are a product of the application of the U.S. EPA Stationary Source Sampling Methods listed in 40 CFR Part 60 Appendix A that were in effect at the time of this test. To the best of my knowledge, this report has been checked for completeness, and the results presented are accurate, error-free, legible, and representative of the actual emissions measured during testing.

Please mail one copy of this report along with any other supportive process operating data collected during this test to your local EPA representative. You should also attach a cover letter (on company letterhead) stating the purpose and the outcome of this test. Additionally, you may address, preferably in a timetable format, any obligations or implications that might be necessary to achieve environmental compliance because of the result of this test.

Please do not hesitate to call if you have any questions or concerns about these test results. On behalf of Air Compliance Testing, I would also like to personally thank you for the opportunity to work with you on this testing project and would enjoy the opportunity to work with you again on any additional future testing projects.

Sincerely,



Robert J. Lisy, Jr.
Technical Manager

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1.0 INTRODUCTION

1.1 Summary of Test Program

Independence Recycling, Inc. (Facility ID: 13-18-95-8479), located in Cleveland, Ohio, contracted Air Compliance Testing, Inc. of Cleveland, Ohio, to conduct compliance stack emission testing for their Portable Rock Crushing Plant (F001). Testing was performed to satisfy the emissions testing requirements pursuant to Ohio Environmental Protection Agency (OEPA) Permit-To-Install (PTI) No. 13-04621. The testing was performed on September 29, 2011.

Opacity readings were taken at the following locations, during operations at or near maximum capacity, to determine the percent opacity of visible emissions (VEs):

Test Location 1

Front End Load to Hopper (F1)
Surge Pile Feed Conveyor (C5)

Test Location 2

500-tph 57S Cone Crusher (P2)
500-tph 52FC Cone Crusher (P3)
No. 57's Stacking Conveyor (C24)

Test Location 3

No. 8's Stacking Conveyor (C25)
Fines Stacking Conveyor (C26)

The test method conducted during this test was EPA Method 9.

1.2 Key Personnel

The key personnel who coordinated this test program (and their phone numbers) were:

Ray Wiecek, Risk Management Director, Independence Recycling, Inc., 216-328-5416
David Hearne, Chief of Air Pollution Engineering Section, Cleveland Division of Air Quality, 216-664-2178
Tyson Houchin QSTI, Operations Director, Air Compliance Testing, Inc., 800-372-2471
Chuck Giffels QI, Operations Manager, Air Compliance Testing, Inc., 800-372-2471

2.0 SUMMARY AND DISCUSSION OF TEST RESULTS

2.1 Objectives and Test Matrix

The purpose of this test was to determine the percent opacity of VEs at three (3) test locations while operating at or near maximum capacity. Testing was performed to satisfy the emissions testing requirements pursuant to OEPA PTI No. 13-04621.

2.2 Field Test Changes and Problems

No field test changes or problems occurred during the performance of this test that would bias the accuracy of the results of this test.

2.3 Presentation of Results

Table 2.1 summarizes the test results. The table displays the minimum, maximum, and six-minute average opacity readings.

Date	Sampling Location	Test Run Start Time	Test Run Stop Time	Test Run Duration (min)	Minimum Reading (%-opacity)	Maximum Reading (%-opacity)	Highest Six-Minute Average (%-opacity)
9/29/2011	<u>Test Location 1 -</u> Front End Load to Hopper (F1) Surge Pile Feed Conveyor (C5)	9:18	10:19	60	0.0	0.0	0.0
9/29/2011	<u>Test Location 2 -</u> 500-tph 57S Cone Crusher (P2) 500-tph 52FC Cone Crusher (P3) No. 57's Stacking Conveyor (C24)	10:21	11:21	60	0.0	0.0	0.0
9/29/2011	<u>Test Location 3 -</u> No. 8's Stacking Conveyor (C25) Fines Stacking Conveyor (C26)	11:23	12:24	60	0.0	0.0	0.0

Table 2.1 - Opacity Test Result Summary

APPENDIX
to
Compliance Stack Emission Test Report

Determination of Visible Emissions
Portable Rock Crushing Plant (F001)

EPA Method 9

Independence Recycling, Inc.
Cleveland, Ohio

Date Conducted: September 29, 2011
Job Number: 110711

Prepared by:
Air Compliance Testing, Inc.
PO Box 41156
Cleveland OH 44141-0156
Phone: (800) EPA-AIR1 (372-2471)

Report Date: October 21, 2011

Method 9 Visible Emissions Observation Form-1

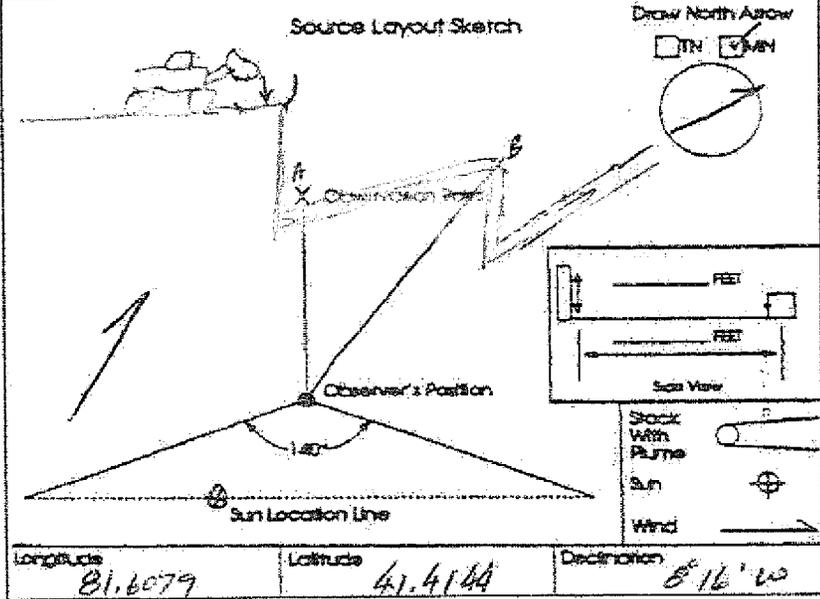
Company Name	Independence Recycling, Inc.	Observation Date	9/29/11	Run No.	1
Facility Name	Independence Recycling, Inc.	Start Time	918		
Street Address	2615 W. 3rd Street	End Time	1019		
City	Cleveland	State	OH	Zip	0

Process & Unit #	(A) FRONT END LOAD TO HOPPER & SLOPE PILE CONVEYOR	Operating Mode	NORMAL
Control Equipment	WATER SUPPRESSION FI/C5	Operating Mode	NORMAL

Describe Emission Point	A - HOPPER LOAD OUT		B - CONVEYOR DROP POINT		Sec.	0	15	30	45	Sec.	0	15	30	45		
	Min.	Min.	Min.	Min.	Min.					Min.						
Height of Emission Point	Start 10'	20'	End	SAME	0	0	0	0	0	30	0	0	0	0		
Height Relative to Observer	Start 10'	20'	End		1	0	0	0	0	31	0	0	0	0		
Distance from Observer	Start 30'	60'	End		2	0	0	0	0	32	0	0	0	0		
Direction from Observer (°)	Start 280, 320		End		3	0	0	0	0	33	0	0	0	0		
Vertical Angle to Observation Point (°)	Start 2°	15°	End		4	0	0	0	0	34	0	0	0	0		
Distance and Direction to Observation Point from Emission Point	Start 2' ABOVE GRAVEZ DROP POINTS End SAME				5	0	0	0	0	35	0	0	0	0		
					6	0	0	0	0	36	0	0	0	0	0	0
					7	0	0	0	0	37	0	0	0	0	0	0
	8	0	0	0	0	38	0	0	0	0	0	0	0			

Describe Emissions	Start	End	9	0	0	0	0	39	0	0	0	0		
Emission Color	Start	End	10	0	0	0	0	40	0	0	0	0		
If Water Droplet Plume	Attached	Detached	11	0	0	0	0	41	0	0	0	0		
Point in the Plume at which Opacity was Determined	Start 2' ABOVE GRAVEZ DROP POINTS End SAME				12	0	0	0	0	42	0	0	0	
					13	0	0	0	0	43	0	0	0	0
					14	0	0	0	0	44	0	0	0	0
	15	0	0	0	0	45	0	0	0	0	0			

Describe Plume Background	Start	SKY, GRAVEZ PILE	End	SAME	16	0	0	0	0	46	0	0	0
Background Color	Start	GREY	End		17	0	0	0	0	47	0	0	0
Sky Conditions	Start	CLOUDY	End		18	0	0	0	0	48	0	0	0
Wind Speed (mph)	Start	0-5	End		19	0	0	0	0	49	0	0	0
Wind Direction (From)	Start	SE	End		20	0	0	0	0	50	0	0	0
Ambient Temperature (°F)	Start	62	End	62	21	0	0	0	0	51	0	0	0
Relative Humidity (%)	Start	82	End	82	22	0	0	0	0	52	0	0	0



23	0	0	0	0	53	0	0	0	0
24	0	0	0	0	54	0	0	0	0
25	0	0	0	0	55	0	0	0	0
26	0	0	0	0	56	0	0	0	0
27	0	0	0	0	57	0	0	0	0
28	0	0	0	0	58	0	0	0	0
29	0	0	0	0	59	0	0	0	0

Range of Opacity Readings

Minimum 0 Maximum 0

Average Opacity for Highest Period 0

Observer's Name (Print) PHOENIX BIEFELS

Observer's Signature [Signature]

Date 9/29/11

Organization Air Compliance Testing, Inc.

Certified By Eastern Technical Associates Date: 9/28/11

4/6/11

Method 9 Visible Emissions Observation Form-1

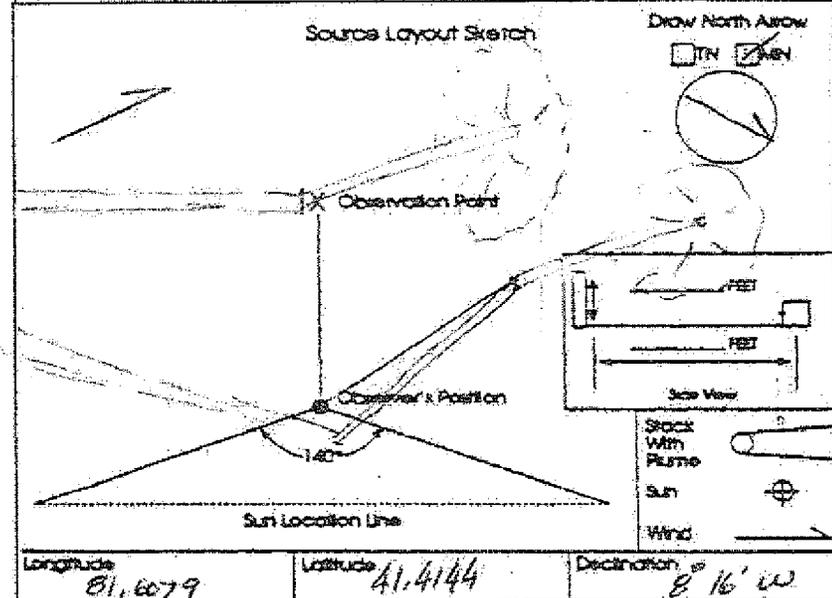
Company Name	Independence Recycling, Inc.	Observation Date	4/29/11	Run No.	1
Facility Name	Independence Recycling, Inc.	Start Time	1123		
Street Address	2615 W. 3rd Street	End Time	1224		
City	Cleveland	State	OH	Zip	0

Process & Unit	(C) #3 STAKING CONVEYER & FINES STAKING CONVEYER	Operating Mode	NORMAL
Control Equipment	WATER SUPPRESSION C25/C26	Operating Mode	NORMAL

Describe Emission Point	Start	End	Sec.	0				15				30				45											
				0	15	30	45	0	15	30	45	0	15	30	45	0	15	30	45								
FINAL DROP POINTS ON CONVEYERS			Min.																								
Height of Emission Point	5' 1 5'	End SAME	0	0	0	0	0	30	0	0	0	0	31	0	0	0	0	32	0	0	0	0	33	0	0	0	0
Height Relative to Observer	5' 1 5'		1	0	0	0	0	31	0	0	0	0	32	0	0	0	0	33	0	0	0	0	34	0	0	0	0
Distance from Observer	100' 1 80'		2	0	0	0	0	32	0	0	0	0	33	0	0	0	0	34	0	0	0	0	35	0	0	0	0
Direction from Observer (°)	240° 1 300°		3	0	0	0	0	33	0	0	0	0	34	0	0	0	0	35	0	0	0	0	36	0	0	0	0
Vertical Angle to Observation Point (°)	3° 1 3°		4	0	0	0	0	34	0	0	0	0	35	0	0	0	0	36	0	0	0	0	37	0	0	0	0
Distance and Direction to Observation Point from Emission Point			5	0	0	0	0	35	0	0	0	0	36	0	0	0	0	37	0	0	0	0	38	0	0	0	0
Start 2' ABOVE DROP POINTS			6	0	0	0	0	36	0	0	0	0	37	0	0	0	0	38	0	0	0	0	39	0	0	0	0
End SAME			7	0	0	0	0	37	0	0	0	0	38	0	0	0	0	39	0	0	0	0	40	0	0	0	0

Describe Emissions	Start	End	9	0	0	0	0	39	0	0	0	0
Emission Color	Start	End	10	0	0	0	0	40	0	0	0	0
If Water Droplet Plume	Attached	Detached	11	0	0	0	0	41	0	0	0	0
Point in the Plume at which Opacity was Determined			12	0	0	0	0	42	0	0	0	0
Start 2' ABOVE DROP POINTS			13	0	0	0	0	43	0	0	0	0
End SAME			14	0	0	0	0	44	0	0	0	0

Describe Plume Background	Start	End	16	0	0	0	0	46	0	0	0	0
Background Color	Start	End	17	0	0	0	0	47	0	0	0	0
Sky Conditions	Start	End	18	0	0	0	0	48	0	0	0	0
Wind Speed (mph)	Start	End	19	0	0	0	0	49	0	0	0	0
Wind Direction (From)	Start	End	20	0	0	0	0	50	0	0	0	0
Ambient Temperature (°F)	Start	End	21	0	0	0	0	51	0	0	0	0
Relative Humidity (%)	Start	End	22	0	0	0	0	52	0	0	0	0



23	0	0	0	0	53	0	0	0	0
24	0	0	0	0	54	0	0	0	0
25	0	0	0	0	55	0	0	0	0
26	0	0	0	0	56	0	0	0	0
27	0	0	0	0	57	0	0	0	0
28	0	0	0	0	58	0	0	0	0
29	0	0	0	0	59	0	0	0	0

Range of Opacity Readings

Minimum 0 Maximum 0

Average Opacity for Highest Period 0

Observer's Name (Print) CHEEK GIFFELS

Observer's Signature [Signature]

Date 9/29/11

Organization Air Compliance Testing, Inc.

Certified By Eastern Technical Associates Date: 9/29/11