



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 7011 2000 0002 6936 3419
RETURN RECEIPT REQUESTED**

November 12, 2012

Steve Fabrizi
President
Fabrizi Trucking and Paving Co., Inc.
6751 Eastland Rd.
Middleburgh Heights, OH 44130-2425

FACILITY ID: 13-18-34-8366

**RESOLUTION OF VIOLATIONS
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Fabrizi:

On August 3, 2012, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Fabrizi Trucking and Paving Co., Inc. (Fabrizi Recycling) to resume submitting quarterly deviation reports for emissions units (EUs) F001: facility roadways and parking areas, F002: load in and load out of material storage piles and wind erosion from storage piles, and F003: 200 tons/hour portable concrete recycling plant – crushing, screening, and conveyor stacker; submit an updated permit-to-install/operate (PTIO) application for emissions unit F003; and submit a PTIO application for a spray paint booth installed in 1997.

CDAQ received a corrective action plan, dated September 10, 2012, from Fabrizi Recycling. The corrective action plan addressed the submittal of the deviation report for the third quarter of 2012 and the submittal of two PTIO applications. Fabrizi Recycling's corrective action plan indicated that the Ohio EPA's Office of Compliance Assistance and Pollution Prevention would help prepare the PTIO applications during a meeting on September 19, 2012. CDAQ acknowledged the September 10, 2012 letter and issued a Receipt of Corrective Action Plan (RCAP) on September 28, 2012. The RCAP set a deadline of October 15, 2012 for submitting the third quarter's deviation report.

CDAQ received the deviation report for the third quarter of 2012 on October 15, 2012. On October 29, 2012, Fabrizi Recycling submitted the PTIO application for EUs F001, F002 and F003 and submitted potential to emit (PTE) calculations for the spray paint booth. According to the PTE calculations, the spray paint booth is a de minimis EU. Appropriate steps were taken to bring the source into compliance. CDAQ 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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ must include the Ohio EPA facility identification number for Fabrizi Recycling: 13-18-34-8366.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/dlw *lk*

cc: John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
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389 Columbia Road
Valley City, Ohio 44280

Phone: (330) 273-2784
Fax: (330) 483-3841

Fabrizi Recycling Inc.

October 12, 2012

Mr. Dave DeChant
Cleveland Division of Air Quality
75 Erieview Plaza, Second Floor
Cleveland, OH 44114-1839

Re: Facility ID #13-18-34-8366 - Stationary
Facility ID #13-18-95-8523 - Portable

Dear Mr. DeChant,

Please be advised Fabrizi Recycling has contracted with Affinity Consulting to perform air emission testing. At this time Mr. Keith Gaydosh with Affinity Consulting is in the process of scheduling our testing date. The 30-day notice of our Intent-to-Test Notification should be submitted within the next day or so.

Ms. Pam Korenewych, at the office of Compliance Assistance and Pollution Prevention, has received all information for completion of our new Permit-to-Install applications. As soon as they are received, they will be forwarded to your office.

The quarterly deviation reports for the 3rd quarter 2012 for both our Stationary and Portable facilities are enclosed. As stated in our previous letter, Fabrizi Recycling will now continue to send all quarterly reporting to your office.

FABRIZI RECYCLING INC.



Steve Fabrizi

SF/me

✓ CC: Mr. David Wagner, Ohio EPA
Enclosure