

  
City of Cleveland  
Frank G. Jackson, Mayor

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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 7011 3500 0000 1759 8119  
RETURN RECEIPT REQUESTED**

January 8, 2013

Jim Allega  
Allega Recycled Materials Co., Inc.  
5585 Canal Road  
Valley View, OH 44125

NON-HPV

**FACILITY ID: 13-18-95-8661**

**NOTICE OF VIOLATION: Failure to submit Permit Evaluation Report for calendar year 2011**

Dear Mr. Allega:

The Cleveland Division of Air Quality (CDAQ) is issuing this letter in regards to the Allega Recycled Materials Co., Inc. facility located at 5731 Lake Street in Kingsville Township. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Allega Recycled Materials Co., Inc. failed to submit a Permit Evaluation Report (PER) for calendar year 2011 for emission units F001: 300 TPH crusher with screener, conveyors and generator, F002: Unpaved roadways and parking areas, F003: Storage piles including load-in and load-out and wind erosion and F004: Paved roadways and parking areas. The report was due by February 15, 2012. This is a violation of Ohio Revised Code (ORC) Section 3704.05(C), Permit-to-Install and Operate (PTIO) #P0104996 Part C. 1. e. 1. and PTIO #P0104997 Part C. 1. e. 1.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Allega Recycled Materials Co., Inc. submit a completed 2011 PER to the following address:

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) are included with this letter. PER forms can also be found online at the following website:  
<http://epa.ohio.gov/portals/27/permits/PER.pdf>

Please note that all permit applications 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 (\$25,000) 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 Andrew Marantides at (216) 420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for Allega Recycled Materials Co., Inc.: 13-18-95-8661.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ

VW/AM~~u~~

cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V  
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encl: PER form and instructions