



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 7002 2210 0000 5209 4609  
RETURN RECEIPT REQUESTED**

2/1/13

Mr. Joseph Blanton  
Plant Manager  
Cereal Food Processors, Inc.  
1635 Merwin St.  
Cleveland, OH 44113

**FACILITY ID: 13-18-00-0229**

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

Dear Mr. Blanton:

On 11/27/12 and 11/28/12, the Cleveland Division of Air Quality (CDAQ) inspected Cereal Food Processors, Inc. (CFP) located at 1635 Merwin St. in Cleveland.

On 12/10/12, CDAQ issued a Notice of Violation (NOV) requesting that CFP submit a corrective action plan outlining steps to be taken to bring the noted baghouses into compliance with the specified pressure drop ranges in Permit to Install/Operate (PTIO) modification #P0109223 Part C, (1)(d)(1), provide a sample of a recordkeeping form for obtaining all investigation and corrective action related information for pressure drop deviations as specified in PTIO modification #P0109223 Part C, (1)(d)(2) and electronically resubmit the Quarterly Deviation Reports for 2012 through Ohio EPA Air Services noting the pressure drop deviations in the format prescribed in PTIO modification #P0109223 Part C, (1)(e)(3).

On 12/28/12 you contacted a CDAQ enforcement representative to clarify that the fourteen (14) day response time stipulated in the NOV was in fact calendar days and not business days. You indicated that you would like to request a compliance deadline extension due to the holidays. CDAQ indicated that you should submit a formal request in writing. You indicated that a formal request would be submitted via certified mail and that an electronic copy would be forwarded to the enforcement representative.

On 12/28/12, an electronic copy of the formal compliance deadline extension request was received by CDAQ. The request reiterated comments made during the earlier telephone conversation that due to holiday scheduling you would like until 1/16/13 to submit CFP's response.



On 12/31/12, CDAQ issued a Receipt of Corrective Action Plan (RCAP) letter acknowledging CFP's compliance deadline extension request. The RCAP established that you were expected to comply with addressing all issues detailed in the 12/10/12 NOV by 1/16/13.

On 1/14/13, CDAQ received a telephone call from Mr. James Mueller of the Poly Science Engineering Group, Inc. (PSEG). He related that PSEG had been retained by CFP as their consultant in resolving the outstanding issues in the 12/10/12 NOV. Mr. Mueller requested a meeting at CDAQ's offices to present CFP's responses.

On 1/15/13, Mr. Mueller and you met with representatives from CDAQ Enforcement and Compliance sections. You provided written statements from both the baghouse manufacturer (Kice Industries, Inc.) and the filter bag manufacturer (Donaldson Company, Inc.) that supported your contention that a pressure drop range of 0.2" to 10.0" Water Column (WC) was acceptable. CFP and PSEG stated that they had failed to request the appropriate pressure drop range in their PTIO modification application.

Additionally, CFP stated that no investigations, corrective actions or deviations had been reported because they were confident that the baghouses were operating correctly based on the recorded pressure drop readings and daily visual observations.

CFP submitted a formal request that Part C, (1)(d)(1) of PTIO modification #P0109223 be changed to reflect the acceptable pressure drop range of 0.2" to 10.0" of WC.

On 1/16/13, CDAQ issued a second RCAP letter confirming that based on the information provided during the 1/15/13 meeting, CDAQ would process a PTIO modification to include the pressure drop range of 0.2" to 10.0" of WC. And, that CFP still needed to provide a sample of a recordkeeping form for obtaining all investigation and corrective action related information for pressure drop deviations as specified in PTIO modification #P0109223 Part C, (1)(d)(2) and electronically resubmit the Quarterly Deviation Reports for 2012 through Ohio EPA Air Services noting the pressure drop deviations in the format prescribed in PTIO modification #P0109223 Part C, (1)(e)(3) by 1/29/13.

On 1/22/13, CFP electronically resubmitted their Quarterly Deviation Reports for 2012 through Ohio EPA Air Services. The reports were reviewed and accepted on 1/23/13.

On 1/25/13, CDAQ forwarded an electronic draft version of the Administrative Modification permit recommendation to CFP and PSEG for review and comment.

On 1/29/13, CDAQ received a facsimile from PSEG comprised of a summary narrative letter confirming the resubmission of the Quarterly Deviation Reports, the compliance achievement through the PTIO Administrative Modification and a sample of a recordkeeping form for obtaining all investigation and corrective action related information for pressure drop deviations.



On 1/29/13, CDAQ left a voice mail and forwarded an email to PSEG indicating receipt the information and detailing additional information be included on the recordkeeping form. An amended form was requested to be submitted to CDAQ by close of business 1/30/13.

On 1/30/13, CDAQ received both a hard copy of the information submitted by facsimile on 1/29/13 and a facsimile of the amended recordkeeping form.

The corrective action plan was received in a timely manner and appropriate steps were taken to bring the source into compliance. CDAQ has 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.

Should you have any questions, please call Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for Cereal Food Processors, Inc.: 13-18-00-0229.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ

VW/dd *uk*

cc: James Mueller, P.E., Poly Science Engineering Group, Inc  
George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V  
L:\Data\Facilities\1318000229\2012-11-27 ROV+NEAR.docx



# CEREAL FOOD PROCESSORS

1635 MERWIN AVE. - CLEVELAND, OH 44113 - 216-621-3208 - FAX: 216-621-0404

## OEPA Deviation Report & Investigation Form

1. Deviation Discovered: PRESSURE DROP WAS LOW (0.2 WC" VS REQUIRED 1.0 WC" DISCOVERED ON DATE OF CDAQ VISIT: 11/28/2012
2. Date and Time Deviation Occurred: LITERALLY HALF AN HOUR
3. Magnitude of Deviation: Pressure Drop Low @ 0.2 VS 1.0 (LOW 0.8 WC")
4. Section of PTIO Permit #0108223 Violated: PART C(1)(d)(1)
5. Individual Reporting Violation: JOE BLANTON & SUPERVISOR
6. Initial interview(s) with Operator/Foreman: ALL VISUAL OBSERVATIONS & MECHANICAL INSPECTIONS SHOWED BAG HOUSES DID NOT FAIL - JUST LOW READINGS
7. Total Period of Time in Minutes of Deviation: A BIT HALF OF 2012
8. Date and Time Deviation Ended: 1/22/2013 WHEN ADMIN. MOD. WAS APPROVED
9. Immediate Corrective Action Taken: CALL BAG FILTER MANUFACTURER TO GET PRICE ESTIMATE BUT 0.2 WC" WAS STILL WITHIN GOOD OPERATING RANGE.
10. Pressure Drop Readings After Corrections: 0.2-0.3 FOR CLEAN BAGS
11. Long Term Final Solution to Problem: PROCESSED ADMIN. MOD TO CHANGE AP RANGE TO 0.2-1.0 WC".
12. Long Term Solution Communicated. How: E- BUSINESS & LETTER TO CDAQ.
13. Individuals Who Have Been Appraised of Solution: \_\_\_\_\_
  - Operators
  - Maintenance Department
  - Plant Operations Managers
  - Upper Management
14. Names of personnel performing work: JOE BLANTON & JIM MURKIN (POLY SCIENCE)
15. Any Follow-up Required: NONE
16. Signature of Plant Manager: Joe Blanton
17. Date completed: 1/30/13

1010 102

## DeChant, Dave

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**From:** DeChant, Dave  
**Sent:** Tuesday, January 29, 2013 4:32 PM  
**To:** 'jmueller@polyscience.net'  
**Cc:** 'j.blanton@cerealfood.com'; Kimmy, Linda  
**Subject:** Notice of Violation (NOV) Responses

Mr. Mueller,

CDAQ has had the opportunity to review the documentation you forwarded today in response to outstanding issues from Cereal Food Processors 12/10/12, NOV. As mentioned in the voicemail message I left for you, the Deviation Report and Investigation Form addresses most of the Permit to Install/Operate (PTIO) requirements, but needs a few additional items.

Per PTIO Administrative Modification #P0109223, Part C, (1)(d)(2) please include provisions on the form to record the following information:

- \*(b) magnitude of the deviation at that time
- \*(c) the date and time the deviation ended
- \*(d) the total period of time (in minutes) during which there was a deviation
- \*(e) the pressure drop readings immediately after the corrective action was implemented ; and
- \*(f) the name(s) of the personnel who performed the work

Please forward an amended Deviation and Report Investigation Form to this email address or via facsimile by close of business 1/30/13.

Prompt receipt of this information will enable CDAQ to close out the NOV.

Thank you,

Dave DeChant  
Environmental Enforcement Specialist II  
City of Cleveland Department of Public Health  
Division of Air Quality  
75 Erieview Plaza, 2<sup>nd</sup> Floor  
Cleveland, OH 44114-1839

216-664-3213  
[ddechant@city.cleveland.oh.us](mailto:ddechant@city.cleveland.oh.us)



Website: [polyscience.net](http://polyscience.net)

86 North Main St., Chagrin Falls, Ohio 44022 • Phone 440-247-5801 • FAX 440-247-0901

January 28, 2013



Mr. David DeChant, Permit Supervisor  
Cleveland Division of Air Quality  
75 Erieview Plaza – 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

RE: Completion of Tasks Required for Notice Of Violation (NOV) dated 12/10/12

Dear Mr. DeChant,

In your letter of NOV dated 12/10/12, your agency CDAQ indicated several actions that Cereal Food Processors (CFP) needs to undertake in order to come into complete compliance with your regulations.

As requested, CFP has re-submitted amended 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Quarterly Deviation Reports which enumerate all of the “out of range” pressure drops that were recorded in those quarters. Also CFP has filed their Fourth Quarter Deviation Report as requested.

Because all of these violations were the result of an inappropriate Pressure Drop range requested by CFP in their initial Application For Renewal PTIO, CFP has submitted an Administrative Modification (Admin. Mod.) for an expanded and more inclusive Pressure Drop Range that is supported by technical data supplied by the filter bag manufacturer.

Once this Admin. Mod. takes effect, it will solve the problem of Low Pressure Drop Recordings.

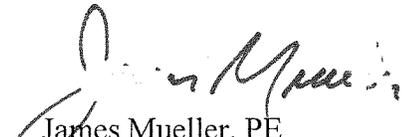
Secondly, CDAQ has requested a sample of both the Record Keeping Forms that CFP will use to track pressure drops and visual observations for emission plumes of major bag house exhaust. Both forms are attached.

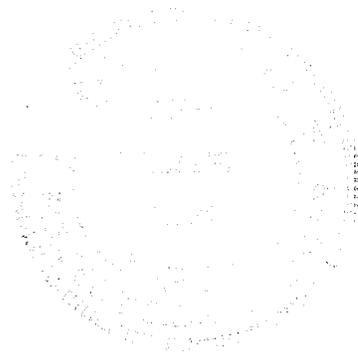
Finally, your agency has requested proof of a formal procedure process to investigate any deviations from required conditions in the Permit. Attached is a new formal procedural form that will be used by CFP for all future deviations.

Also attached is this new form filled out with the information and required changes to handle the pressure drop deviations problem. With this new form and its completion for the pressure drop problem, PSEG believes that all issues have been answered satisfactorily.

If you or anyone at your agency has questions about the above material or the attachments, please don't hesitate to contact us at 440-247-5801.

Sincerely,

  
James Mueller, PE  
Ohio Registration #41061



Attachments

**CEREAL FOOD PROCESSORS INC.**  
**Cleveland, Ohio**

**PRESSURE DROP ACROSS BAG HOUSES INCHES W.G.**

Year: 2013

Week	F001	F002	F003			F004					F005		Hours Run	Comments	
	M-192-8	M-192-8	288-8	144-10	S-36-10	S-64-8	M-36-8	O2-HRB-12-4	O3-HRB-12-4	O4-HRB-12-4	O5-HRB-12-4	R-14			HRB-12-4
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NO. 1345  
 Jan. 28. 2013 12:13 PM Cereal Food Cleveland

**OEPA DEVIATION REPORT & INVESTIGATION FORM**

• Deviation Discovered: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

• Section of PTIO Permit #0109223 Violated: \_\_\_\_\_  
\_\_\_\_\_

• Individual Reporting Violation: \_\_\_\_\_

• Initial Interview(s) with Operator/Foreman: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

• Immediate Corrective Action Taken: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

• Long Term Final Solution to Problem: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

• Long Term Solution Communication How?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

• Individuals Who Have Been Appraised of Solution: \_\_\_\_\_

- Operators
- Upper Management
- Maintenance Dept.
- Plant Operations Managers

• Any Follow-up Required \_\_\_\_\_

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Signature of Plant Manager: \_\_\_\_\_

Date Completed: \_\_\_\_\_

PROBATION REPORT

1635 MERR

1.3-2

2012-01-04

1. Deviation Discovered: 02/10/12

2. Section of PTIO Permit #0109223: Part (A) (1)(Y) Final Pursed Pipe

3. Individual Reporting Violation: Section 514.50 (2)

4. Initial interview(s) with Operator/ Foreman: Operator and supervisor

5. Immediate Corrective Action Taken: As of 2/10/12 pipe was replaced with  
flange cap 10" dia. 2-10" by WPC per project

6. Long Term Final Solution to Problem: Issue resolved after 1st time  
10" dia with 2-10" cap.

7. Long Term Solution Communicated. How?: E-Message

8. Individuals Who Have Been Apprised of Solution:

- Operators
- Maintenance Department
- Plant Operations Managers
- Upper Management

9. Any Follow-up Required: N/A

10. Signature of Plant Manager: [Signature]

11. Date completed: 1/29/12

