



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
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Cleveland, Ohio 44114-1839
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**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7011 3500 0000 1759 8171
RETURN RECEIPT REQUESTED**

February 19, 2013

Ray Wiecek
Independence Excavating, Inc.
5720 Schaaf Road
Independence, OH 44131

FACILITY ID: 13-18-00-8728

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

Dear Mr. Wiecek:

On January 8, 2013, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Independence Excavating, Inc. to submit Permit Evaluation Reports (PERs) for calendar years 2009, 2010 and 2011 and to obtain a City of Cleveland permit-to-operate by submitting a city permit fee for calendar year 2010.

CDAQ is in receipt of a City of Cleveland permit fee for calendar year 2010 dated February 6, 2013 and PERs for calendar years 2009, 2010 and 2011 dated February 15, 2013.

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 Andrew Marantides at (216) 420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for Independence Excavating, Inc.: 13-18-00-8728.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/AM *uk*

cc: John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
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