



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 7010 1870 0000 6591 3967
RETURN RECEIPT REQUESTED**

November 22, 2011

Tom Somerville
Cuyahoga Community College
700 Carnegie Avenue
Cleveland, OH 44115

NON-HPV

FACILITY ID: 13-18-00-7258

LETTER OF WARNING: Operating a 125 kW Cummins natural gas-fired emergency electrical generator without applying for a permit

Dear Mr. Somerville:

On November 3, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Cuyahoga Community College – Metropolitan Campus located at 2900 Community College Avenue in Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Cuyahoga Community College – Metropolitan Campus has been operating a 125 kW Cummins natural gas-fired emergency electrical generator since August 2, 2010 without applying for a permit. This is a violation of Ohio Administrative Code (OAC) Rule 3745-31-02(A)(1)(c)(2) and Ohio Revised Code (ORC) Section 3704.05(F).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Cuyahoga Community College – Metropolitan Campus electronically submit a Permit By Rule (PBR) application for the 125 kW Cummins natural gas-fired emergency electrical generator through the eBusiness Center within thirty (30) days of receipt of this letter.

In addition, CDAQ requests that Cuyahoga Community College – Metropolitan Campus resubmit a corrected Fee Emission Report for 2010 through the eBusiness Center with corrected emissions totals.



If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.

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 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 Cuyahoga Community College – Metropolitan Campus: 13-18-00-7258.

Sincerely,

Linda Kimmy
Field Enforcement Manager

LK/AM

cc: Eugene DiSanto, Cuyahoga Community College
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318007258\2011-11-3 LOW.docx

SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tom Somerville
Cuyahoga Community College
700 Carnegie Avenue
Cleveland, OH 44115

2. Article Number

(Transfer from service label)

7010 1870 0000 6591 3967

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[Signature]

Agent

Addressee

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[Signature]

C. Date of Delivery

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NOV 28 2011

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C.O.D.

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**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7011 2000 0002 6936 2528
RETURN RECEIPT REQUESTED**

December 16, 2011

Tom Somerville
Cuyahoga Community College
700 Carnegie Avenue
Cleveland, OH 44115

**FACILITY ID: 13-18-00-7258
LETTER OF WARNING FOLLOW-UP LETTER**

Dear Mr. Somerville:

On November 22, 2011, the Cleveland Division of Air Quality (CDAQ) issued a Letter of Warning requiring Cuyahoga Community College – Metropolitan Campus to electronically submit a Permit By Rule (PBR) Notification Form for B007: 125 kW Cummins natural gas-fired emergency electrical generator and electronically resubmit a corrected 2010 Fee Emissions Report for 2010. CDAQ was able to electronically access the completed PBR Notification Form for B007 and the corrected Fee Emissions Report for 2010 dated December 16, 2011.

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 Cuyahoga Community College – Metropolitan Campus: 13-18-00-7258.

Sincerely,

Linda Kimmy
Field Enforcement Manager, CDAQ

LK/AM

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318007258\2011-11-3 NEAR.docx

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>[Signature]</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>[Signature]</i></p>
<p>1. Article Addressed to:</p> <p>Tom Somerville Cuyahoga Community College 700 Carnegie Avenue Cleveland, OH 44115</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7011 2000 0002 6936 2528</p>