



October 16, 2012

RE: Jefferson County
Esquire Cleaners
0641150140
Notice of Violation
Non-HPV

Certified: 70101060000178965007

William Dimichele, Owner
Esquire Cleaners
4332 Sunset Blvd.
Steubenville, Ohio 43952

Dear Mr. Dimichele:

On July 24, 2012, Racheal Davies, Jessica Kelley and I performed an inspection of the Esquire Cleaners (Esquire) facility located at 4332 Sunset Blvd. in Steubenville, Jefferson County, Ohio. During the inspection, you were present. The inspection was conducted as part of a full compliance evaluation (FCE) to determine the facility's compliance with the current permit-to-install (PTI) terms and conditions and state and federal air pollution control rules and regulations prior to issuing a renewal permit-to-install and operate (PTIO). During the course of the inspection, we documented the following violations:

The air contaminant source observed during the inspection that is currently operated at the above facility is a **Dry-to-Dry cleaning machine, now identified as emissions unit (EU) D002**. During the inspection, you stated that this unit was installed in 2009 and replaced the **Multi-matic Shop Dry-to-Dry cleaning machine (EU D001; PTI 17-1433 issued May 8, 1996)**, the unit previously operated at this site and permitted by Ohio EPA. Ohio Administrative Code (OAC) rule 3745-31-02(A)(1)(b) prohibits the installation or modification, and subsequent operation of any new, non-major source without first obtaining a PTIO. Therefore, Esquire was required to submit a PTIO application prior to installation of EU D002. Additionally, Ohio EPA was not notified of the removal of EU D001 in order to properly shut down the EU in our recordkeeping and withdraw any active permits. Failure to obtain the required operating permit prior to installation and operation of an air contaminant source is a violation of OAC rule 3745-31-02(A).

Additionally, Ohio EPA would like to point out that all dry cleaning operations that employ perchloroethylene are subject to the **National Emissions Standards for Hazardous Air Pollutants (NESHAP)** contained in **40 Code of Federal Regulations (CFR) Part 63 Subpart M: National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities**, which contains various monitoring, recordkeeping and reporting requirements, as well as usage and emissions limits in accordance with **40 CFR Parts 63.320 - 63.326**. Pursuant to **40 CFR 63.320(b)(3)**, each dry cleaning system that commences construction or reconstruction on or after July 27, 2006, shall be in compliance with the provisions of this subpart immediately upon startup. Additionally, **40 CFR 63.324(b)** requires that a "notification of compliance status" be signed by the responsible official (RO), who shall certify its accuracy, and submitted within 30 days of the above compliance date, providing the following information:

1. The yearly perchloroethylene solvent consumption limit based upon the yearly solvent consumption calculated according to **40 CFR 63.323(d) (Test Methods and Monitoring)**
2. Whether or not the facility is in compliance with each applicable requirement of **40 CFR 63.322 (Standards)**
3. A statement that all information contained in the notification is accurate and true.

To date, Esquire has not submitted a notification of compliance status for EU D002. Failure to submit a notification of compliance status within 30 days of startup of EU D002 is a violation of 40 CFR 63.324(b).

Within thirty (30) days of receipt of this letter, please provide the following information to this office:

1. A compliance plan and schedule to return the facility into compliance with all applicable state and federal air pollution control rules and regulations. The plan should include corrective actions to be taken and a timeline for completing those actions
2. A PTIO application and emissions activity category (EAC) form for a "Dry Cleaning Facility" for EU D002, which can be accessed at:
<http://www.epa.ohio.gov/dapc/fops/eac/eacforms.aspx>
3. Written notification of EU D001's removal from the facility, including the last date the unit operated, date of removal and the fate of the equipment
4. A notification of compliance status containing the required information listed above pursuant to **40 CFR 63.324(b)**.

Acceptance by Ohio EPA of a schedule for compliance does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the ORC. The determination to pursue or decline such penalties in this case will be made by Ohio EPA at a later date. I have also enclosed the following reference material for your information:

- A pamphlet for Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP): a free, confidential service provided to help small businesses maintain compliance
- The business card of Ralph Witte, the OCAPP contact for Ohio EPA's Southeast District Office (SEDO). Please contact Mr. Witte if you would like assistance in making a compliance plan and schedule in order to return the facility to compliance.
- A 2012 Environmental Compliance Calendar for Dry Cleaners published by OCAPP to help dry cleaning facilities that employ perchloroethylene comply with applicable state and federal air pollution control regulations. More dry cleaning-specific publications and compliance resources are available at OCAPP's dry cleaning webpage at:

www.epa.ohio.gov/ocapp/dry_cleaning.aspx

- A summary pamphlet and complete copy of the dry cleaning NESHAP contained in Subpart M of 40 CFR 63.

If you are unable to respond to any part of this request within the time frame discussed above, please contact me so that I may be of assistance. Should you have any questions or concerns, please feel free to contact me by telephone at (740)380-5267 or via email at lesley.jenkins@epa.state.oh.us.

Sincerely,



Lesley Jenkins
Environmental Specialist II
Division of Air Pollution Control

LJ/cs

Enclosure

cc: Ralph Witte, OCAPP/SEDO
Bruce Weinberg, DAPC/CO
Michele Jencius, USEPA Region V
Dean Ponchak, DAPC/SEDO