



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

November 26, 2007

RE: CERTIFIED WARNING LETTER FOR  
FAILURE TO SUBMIT INITIAL NOTIFICATION  
REPORT (FACILITY ID: 02-50-11-0100)

CERTIFIED MAIL

Mr. David McCleery  
Spectrum Metal Finishing  
535 Bev Rd.  
Youngstown, OH 44512

Dear Mr. McCleery:

The purpose of this letter is to notify you that Spectrum Metal Finishing (Spectrum) has not submitted an initial notification in violation of 40 CFR Part 63, Subpart M, Section 63.3910(b) and 40 CFR Part 63, Subpart A, Section 63.9(b)(2).

Spectrum is subject to the Surface Coating of Miscellaneous Metal Parts and Products rule contained in 40 CFR Part 63 because it is a major source of hazardous air pollutants (HAPs). Per section 63.3910(b) of this rule, "For an existing affected source, you must submit the initial notification no later than 1 year after January 2, 2004." As reminded in an e-mail dated December 29, 2004, from our office and again during the June 28, 2007, compliance inspection, Spectrum has not submitted this notification.

Typically, this rule is included in a final permit. Since Spectrum's permit-to-install is still not finalized, the authority for enforcing this subpart is currently delegated to the USEPA. Acting as an agent of the USEPA, Ohio EPA is requesting submittal of the notification **within 14 days of receipt of this letter**.

An example notification is attached to this letter, and can also be found at the following website: <http://www.epa.gov/ttn/atw/gp/initialvf.pdf>.

The submission of the requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06 or for USEPA to seek civil penalties pursuant to federal law. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date. Failure to respond to this request in the requested time frame can result in a referral to the Central Office of Ohio EPA for the appropriate enforcement action.

MR. DAVE MCCLEERY  
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Should you have any questions regarding this matter, please feel to call me at (330) 963-1261.

Sincerely,



Jana L. Gannon  
Environmental Specialist  
Division of Air Pollution Control

JLG:bo

enclosure

ec: Dennis Bush, DAPC-NEDO  
Ed Fasko, DAPC-NEDO

cc: Bob Princic, DAPC-NEDO  
Tom Kalman, DAPC-CO  
Lisa Holscher, USEPA Region V