



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114-2080
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

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

**CERTIFIED MAIL 7002 2030 0001 1808 3706
RETURN RECEIPT REQUESTED**

March 27, 2007

Derek Hendrix
Cleveland Public Power
1300 Lakeside Ave.
Cleveland, Oh 44114

**HIGH PRIORITY FACILITY
EMISSIONS VIOLATION**

FACILITY ID: 1318000133

Notice of Violation: Exceeding Emissions Limitations and Inadequate Record Reporting

Dear Mr. Hendrix:

On January 30, 2007, the Cleveland Division of Air Quality (CDAQ) inspected Cleveland Public Power Service Center (CPP) located at 2490 West 41st 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.

CPP is in violation of the Title V permit terms & conditions, the Ohio Administrative Code Rule 3745-77-01(C) (1), and the Ohio Revised Code sections 3704.05(A), (C), and (G). CPP is in violation for failing to collect and analyze grab samples of the fuel oil used in B001 and B002. CPP is also in violation for exceeding the particulate emissions (PE) limitation for fuel oil in B001 & B002 by 0.027 lbs/mmBtu & 0.01 lbs/mm, respectively.

CPP's 2006 Fuel Analysis Reports lists zero gallons received, and N/A for sulfur %, BTU/gallon, and lbs of SO₂/mmBtu (see attachment #1). However, after thorough review of CPP's fuel analysis reports and deviation reports, CDAQ has determined that since 2nd quarter of 2004, CPP has failed to submit adequate reports and to conduct fuel analysis in compliance with the terms & conditions of the Title V permit monitoring & record keeping requirements.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests CPP to submit a corrective action plan that explains the fuel analysis reports and the exceedance of PE for fuel oil limits to the following enforcement representative:

Mike Samec
Cleveland Division of Air Quality
1925 St. Clair Avenue NE
Cleveland, Ohio 44114-2080



Your written response to this letter must be received by CDAQ within fourteen (14) days of your receipt of this letter. 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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for Service Center: 1318000133.

Sincerely,

A handwritten signature in cursive script, appearing to read "George Baker for CFB".

George Baker
Chief of Enforcement, CDAQ

GB/ms

cc: Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318000133\2007-03-27 NOV.doc

Encl: Copies of 2006 Fuel Analysis Reports and Email about turbine fuel usage