



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
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**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL: 70022030000118077651
RETURN RECEIPT REQUESTED**

August 6, 2010

Mr. Ramon Lugo, Director
NASA John H. Glenn Research Center –Lewis Field
2100 Brookpark Road
Cleveland, Ohio 44135-3191

HIGH PRIORITY FACILITY

FACILITY ID: 13-18-00-1169

**NOTICE OF VIOLATION (NOV) and NOV FOLLOW-UP LETTER:
Failure to certify compliance with Ohio Administrative Code (OAC)
Rule 3745-110-04**

Dear Mr. Lugo:

This letter serves as notification that NASA John H. Glenn Research Center –Lewis Field (NASA) located at 2100 Brookpark Road in Cleveland has operated sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

The Cleveland Division of Air Quality (CDAQ) and Ohio EPA determined NASA had failed to certify in writing Nitrogen Oxide (NOx) Reasonably Available Control Technology (RACT) compliance as required in the Ohio Administrative Code Rule 3745-110-04 (A)(1) since April 22, 2008, the date by which certification was to have been submitted.

CDAQ is in receipt of a corrective action plan dated July 9, 2010, in which NASA has provided documentation to identify compliance with OAC Rule 3745-110-03(J). A source summary table that identifies all emission units including NOx emissions and their applicability to NOx RACT requirements has been included.

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.

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



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 Linda Kimmy at 216-664-2985. All correspondence with CDAQ must include the Ohio EPA facility identification number for NASA: 13-18-00-1169.

Sincerely,

George Baker
Chief of Enforcement

GB/lk

cc:

Christie Myers, NASA
Rickey J. Shyne, NASA
Michael J. Krzywicki, CDAQ
Alan Harness, Ohio EPA Central Office
Jim Orlemann, Ohio EPA Central Office
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
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