



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
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 70022030000118077675
RETURN RECEIPT REQUESTED**

September 15, 2010

Ms. Karen Dethloff
MetroHealth Medical Center
2500 MetroHealth Drive
Cleveland, Ohio 44109

HIGH PRIORITY FACILITY

FACILITY ID: 13-18-00-2965

**NOTICE OF VIOLATION: Failure to certify compliance as required by Ohio
Administrative Code (OAC) Rule 3745-110-04**

Dear Ms. Dethloff:

This letter serves as notification that MetroHealth Medical Center (MetroHealth) located at 3395 Scranton Road in Cleveland is operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Cleveland Division of Air Quality (CDAQ) and Ohio EPA has determined MetroHealth has failed to certify in writing to the director that such source is in compliance with the Nitrogen Oxides Reasonably Available Technology (NOx-RACT) requirements of OAC Rule 3745-110-03 as required by OAC Rule 3745-110-04 (A)(1) since April 22, 2008, the date which the certification was to have been submitted.

Unless you undertake some type of corrective action with respect to the above noted violation, you will remain in non-compliance. CDAQ requests that MetroHealth submit a compliance plan that includes a timeline for completing stack testing for Emission Unit (EU) B004: Babcock & Wilcox 91 mmBtu/hr Natural Gas / No. 2 Fuel Oil Boiler and for annual burner tune ups for EUs B006 – B010: Vapor Power 23.647 mmBtu/hr Natural Gas / No. 2 Fuel Oil.

In addition, CDAQ requests MetroHealth provide a listing of any other NOx emitting units and note whether or not each unit is subject to NOx-RACT requirements.

Please submit the above information within thirty (30) days to the following enforcement representatives:



Linda Kimmy
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

Alan Harness
Ohio EPA, DAPC
Lazarus Government Center
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

Your written response to this letter must be received within thirty (30) 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 Linda Kimmy at 216-664-2985. All correspondence with CDAQ must include the Ohio EPA facility identification number for MetroHealth: 13-18-00-2965.

Sincerely,

Linda Kimmy for G.B.
George Baker
Chief of Enforcement

GB/lk

cc:

Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Alan Harness, Ohio EPA, DAPC
Jim Orlemann, Ohio EPA, DAPC
Lisa Holscher, U.S. EPA Region V
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