



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 : 7003 1010 0004 2923 5878  
RETURN RECEIPT REQUESTED

April 9, 2010

Ricky D. Smith  
Cleveland Airport Systems  
5300 Riverside Drive  
P.O. Box 81009  
Cleveland, Ohio 44181-0009

NON-HPV

FACILITY ID: 13-18-00-4181

NOTICE OF VIOLATION: Failure to submit a Permit-to-Operate (PTO) Renewal Application for Emission Unit (EU) N001, failure to submit a permit application for (4) emergency electrical generators, and failure to obtain all 2006-2009 city permits-to-operate

Dear Mr. Ricky Smith:

On March 4, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Cleveland Hopkins International Airport (CHA) located at 5300 Riverside Drive 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.

CHA failed to submit a PTO renewal application for Emission N001: Kelley Incinerator, which is in violation of Ohio Administrative Code (OAC) Rule 3745-31-02 (A)(1), and Ohio Revised Code (ORC) Section 3704.05 (C).

CHA's operation of four emergency electrical generators is in violation of OAC Rule 3745-31-02 (A)(1), and Ohio Revised Code (ORC) 3704.05 (F) and (G), for operating an emission source without first applying for and obtaining a Permit-to-Install/Operate (PTIO) or by not submitting a Permit by Rule (PBR) notification form.

In addition, CHA is in violation of the City of Cleveland's Codified Ordinance Chapters 259.01, and 263.01 for failing to obtain all 2006-2009 city permits-to-operate by submitting city permit fees.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that CHA submit a Permit to Install/Operate (PTIO) application and Emission Activity Category Form



In addition CDAQ requests CHA submit either a PTIO application or a PBR notification form for EU's Z003, Z007-Z011, Z014, and the four non-permitted emergency electrical generators within thirty (30) days of your receipt of this letter to the following address:

Permit Section  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

CDAQ also requests that CHA obtain all 2006-2009 city permits-to-operate by submitting city permit fees within thirty (30) days of receipt of this letter to the following address:

City Permit Fee Invoices  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

If there is insufficient time to correct the alleged violations within this timeframe, a written response must be received within thirty (30) days of receipt of this letter that includes a timeline for correcting the alleged violations.

The appropriate permit application(s) and supplemental form(s) can be found at:

<http://epa.ohio.gov/dapc/fops/eac/eacforms.aspx>

<http://www.epa.ohio.gov/dapc/pbr/permitbyrule.aspx>

Please note that all permit applications and PBR notification forms submitted to CDAQ must include original signatures. Photocopied signatures are not valid; the application will not be accepted by CDAQ and will be returned to you if original signatures are not provided.

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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Cleveland Hopkins International Airport: 13-18-00-4181.

Sincerely,

*Linda Kimmy for G.B.*

George Baker  
Chief of Enforcement

GB/BS

cc: John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
Kim McGreal, Environmental Service Manager  
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encl: 2006-2009 City Fee Invoices