



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 70031010000429233508
RETURN RECEIPT REQUESTED

June 16, 2008

Mr. Edward Wrobel
Orban's Flowers
11520 Buckeye Road
Cleveland, Ohio 44104

FACILITY ID: 1318005428

**NOTICE OF VIOLATION (NOV): FAILURE TO OPERATE INCINERATOR PROPERLY
AND FAILURE TO PAY CITY FEES**

Dear Mr. Wrobel:

On May 28, 2008 and June 10, 2008, in response to an odor complaint, the Cleveland Division of Air Quality (CDAQ) inspected Orban's Flowers located at 11520 Buckeye Road 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:

Orban's Flowers operation of emission unit N001: custom made multi-chamber incinerator, is in violation of Ohio Revised Code (ORC) 3704.05 (C) & (G), the special terms and conditions of your permit-to-operate (PTO) and the City of Cleveland Codified Ordinance Chapter 263.01 (a)(2).

On May 28, 2008, CDAQ found a partially burned cardboard box in the incinerator chamber indicating incomplete combustion; hence, improper operation. In addition, Orban's Flowers has failed to pay their city fees to operate the aforementioned incinerator for 2006 and 2007.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Orban's Flowers submit their 2006 and 2007 city fees and a corrective action plan stating how they will ensure proper operation of their incinerator to the following enforcement representative:

Linda Kimmy
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.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP.

OCAPP can also provide assistance to facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production. Again, there is no charge for their services.

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 Orban's Flowers: 1318005428.

Sincerely,

George Baker
Chief of Enforcement, CDAQ

GB/LK

cc:

John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318005428\2008-06-16NOV

6/25/08

TO: LINDA KIMMY
FR: EDWARD WROBEL
ORBAN'S FLOWERS
SUBJ:INCINERATOR #1318005428

DEAR MS. KIMMY:

ORBAN'S IS RECIPT OF YOUR LETTER AND IN RESPONSE TO YOUR NOTIFICATION WE HAVE TAKEN THE FOLLOWING CORRECTIVE ACTION.

1. CITY FEES FOR 2006,2007 & 2008 HAVE BEEN PAID .
2. SIGN MADE AND POSTED WITH OPERATING INSTRUCTIONS AS PER YOUR FAX.
3. ALL EMPLOYEES WHO ARE INVOLVED IN THE OPERATION AND MAINTENCE OF THE INCENERATOR HAVE BEEN INSTRUCED IN THE CORRECT OPERATION OF THE INCINERATOR.

LIMIT BURNING OF FLOOR SWEPINGS TO EVENINGS.

ORBAN'S HAS OPERATED THE INCINERATOR SUCCESSFULLY FOR 50 YEARS AND TAKES GREAT PRIDE IN KEEPING ALL SYSTEMS UPDATED AND THE UNIT CLEAN AND WELL MAINTAINED. WE FEEL IT IMPORTANT TO NOTE THAT THE "PARTIALLY BURNED CARBOARD BOX" SEEN IN THE 28MAY'08 VISIT WAS THERE AS A RESULT A TIMED BURN THE NIGHT PREVIOUS. WE DID NOT CONTINUE THE BURN THE NEXT MORNING, BUT WERE WAITING FOR THE EVENING BURN TO COMPLETE THE INCINERATION PROCESS. OUR INTERNAL OPERATIONAL PROCEDURE IS TO PUT THE FLOOR SWEEPING, MOSTLY WET FLOWER STEMS AND LEAFS, INTO A LARGE CARBOARD BOX FOR MOVEMENT TO AND PLACEMENT INTO THE INCINERATOR CHAMBER. HENCE, THE BOX IS THE LAST THING TO BE INCINERATED. WE FEEL A JUDGEMNET OF "NON-COMPLIANCE" IS UNFAIR AND WITHOUT MERIT BASED ON ONE VISIT AND NO ACTUAL OBERVATION OF INCINERATOR OPERATION. HOWEVER, WE DO REALIZE THAT THE OPERATION OF OUR INCINERATOR IS A PREVILAGE NOT A RIGHT AND WILL TAKE THE NECESSARY ACTION AS DIRECTED BY YOUR OFFICE TO MAINTAIN THAT PRIVILAGE.

SINCERELY,

EDWARD WROBEL
ORBAN'S FLOWERS

