



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 1807 8313  
RETURN RECEIPT REQUESTED

1/12/09

Ernie D'Amato, President  
Universal Heat Treating  
3878 E. 93<sup>rd</sup> St.  
Cleveland, OH 44105

NON-HPV

FACILITY ID: 13-18-00-6663

NOTICE OF VIOLATION: Record keeping omissions and failure to submit permit-to-install/operate (PTIO) applications

Dear Mr. D'Amato:

On 12/9/08, the Cleveland Division of Air Quality (CDAQ) inspected Universal Heat Treating (UHT) located at 3878 E. 93<sup>rd</sup> St. in Cleveland, OH. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

UHT is in violation of Ohio Revised Code (ORC) 3704.05(C), Ohio Administrative Code (OAC) 3745-15-03(A) and Permit-to-Install (PTI) #13-3541 for emissions unit (EU) L001, Open Top Baron Blakeslee Vapor Degreaser with Freeboard Refrigeration Device for failure to submit Annual Reports (operator training certification, estimated solvent consumption) and Semi-annual Exceedance Reports (cover inspection/repairs, air blanket temperature) since issuance of PTI# 13-3541 on 9/1/99. The disassembled EU was observed staged outside the facility with other scrap at the time of the inspection.

UHT is also in violation of ORC 3704.05(F) and OAC 3745-31-02 for failure to submit plans and permit applications prior to installation and operation of the black oxide dip tank line. Although this equipment is operating under the company name of Universal Black Oxide, ownership is under the same entity as UHT and remains associated with the current facility ID number. UHT has been in violation since the black oxide dip tank line was installed in 2000.

UHT will need to provide emissions documentation for P006, P007 and P008 to supplement determination of "de minimis" (OAC 3745-15-05), "exempt" (OAC 3745-31-03) or requires permit-to-install/operate (PTIO) applications.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance.



CDAQ requests that UHT submit a written statement, signed by a Responsible Official (as defined in OAC Rule 3745-77-01(GG)) that EU L001 was never operational, citing dates of installation and disassembly, PTIO applications for the Black Oxide line, and emissions calculations or British Thermal Unit (mmBtu/hr) input ratings for EUs P006, P007 & P008 to the following enforcement representative:

Dave DeChant  
Cleveland Division of Air Quality  
75 Erieview, 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114

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.

The appropriate permit application(s) and supplemental form(s) are included with this letter. Please note that all permit applications 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.

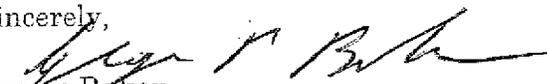
Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518.

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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for Universal Heat Treating: 13-18-00-6663.

Sincerely,

  
George Baker  
Chief of Enforcement, CDAQ

GB/dd



cc: John Houston, Universal Heat Treating  
John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318006663\2008-12-09 NOV.doc

encl: PTIO applications and instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ernie D'Amato, President  
Universal Heat Treating  
3878 E. 93<sup>rd</sup> St.  
Cleveland, OH 44105

2. Article Number  
(Transfer from service label)

13-18-00-6663/80

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
x *J L Edmonds*  Agent  Addressee

B. Received by (Printed Name) *J L Edmonds* C. Date of Delivery *1-15-09*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

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