



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 7002 2030 0001 7520
RETURN RECEIPT REQUESTED

3/26/09

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

FACILITY ID: 13-18-00-6663
NOTICE OF VIOLATION FOLLOW-UP LETTER

Dear Mr. D'Amato:

On 1/12/09, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Universal Heat Treating (UHT) to 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 emissions units (EUs) P006, P007 & P008. CDAQ is in receipt of a response dated 3/3/09 that was prepared in conjunction with Jim Carney from the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP).

The determination of EUs P006, P007 and P008 as exempt from air permitting requirements per Ohio Administrative Code (OAC) 3745-31-03 (A)(1)(c) and the black oxide dip tank as "de minimis" per OAC 3745-15-05 (5) was received in a timely manner. Additionally, a signed statement was provided indicating that to the best of your knowledge the open top Blakcslee Vapor Degreaser never went in to service, was disassembled and removed from the building in 2000. CDAQ and Ohio EPA records will be updated to reflect that this EU has been withdrawn.

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.

CDAQ issues this letter with Ohio EPA's concurrence and 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,

Valencia White
Field Enforcement Manager, CDAQ



VW/dd

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

↳ ELECTRONICALLY TO JIM CARNEY @ OCAPP

1/25/2009

Dave DeChant
Cleveland Division of Air Quality
75 Erieview, 2nd Floor
Cleveland Ohio 44114

In responses to the notice of violation: Record keeping omissions and failure to submit Permit to install/operate application

Dear Mr. DeChant

After speaking with Jim Carney from the office of OCAPP (office of compliance assistance and pollution prevention) we would like to respond to the letter of violations

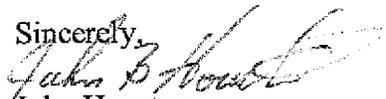
Universal Heat Treating believes our four 1 million btu/hr heat treat ovens are exempt from air permitting requirements per Ohio Administrative code (OAC) section 3745-31-03 (A) (1) (C) <http://www.epa.state.oh.us/dapc/regs/3745-31/3745-31-03f.pdf> which exempts.

Fossil fuel-fired furnaces or dryers less than ten million btu/hr burning only natural gas, Distillate oil (with less than or equal to 0.5 per cent by weight sulfur), or liquid petroleum gas and the only emissions are from the products of combustion from fuel and water vapor and where no melting or refining occurs nor where any burning of any material occurs." We also believe the black oxide dip tanks are under this same exemption.

We believe the black oxide dip tank is exempt per the "Deminimis Rule" exemption in OAC 3745-15-05 (5) <http://www.epa.state.oh.us/dapc/regs/3745-15/3745-15-05.pdf>. Per our engineering knowledge and working with the engineering team at Hubbard Hall the supplier of the chemical Black Magic infusion we know that the process is operating at 292f and the only evaporation from the tank is water vapor.

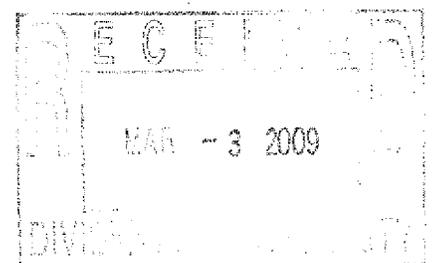
In regards to the claim of violations of (ORC) 3704.05(C) and (OAC)3745-15-03(A), (PTI)#13-3541 (EU) L001, Open Top Blakeslee Vapor Degreaser with Freeboard Refrigeration Device for failure to submit Annual Reports and Semi-annual Exceedance Report. Looking back into our record I found that this unit was issued a PTI# 13-3541 Back on 9/1/99, to the best of my knowledge this unit never went into service thus having no need to fill out the report in question. This unit was disassembled back in 2000 And removed from the building

Sincerely,



John Houston

Director of Operation
Universal Heat Treating
Universal Black Oxide



DeChant, Dave

From: DeChant, Dave
Sent: Friday, January 30, 2009 11:07 AM
To: 'John Houston'
Subject: RE:

Mr. Houston,

CDAQ acknowledges your request for additional time to complete your response to the Notice of Violation. We expect a hard copy of your formal corrective action plan in our office by close of business 2/13/09.

Thanks,

Dave DeChant
Environmental Enforcement Specialist
Cleveland Department of Public Health
Division of Air Quality 75 Erieview Plaza- 2nd Floor Cleveland, OH 44114
(office) 216-664-3213 | (fax) 216-420-8047
Ddechant@city.cleveland.oh.us | www.clevelandhealth.org

From: John Houston [<mailto:johnhouston@universalheattreat.com>]
Sent: Friday, January 30, 2009 10:02 AM
To: DeChant, Dave
Subject:

Dear Mr. DeChant

We will need a two week extension on filling out the clean air report. We are working on it but at this time it is not complete

And need more time to complete it. Please email me back to let us know if this will be ok

Thank you
John Houston
johnhouston@universalheattreat.com

1/30/2009