



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
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 7011 3500 0000 1759 5712
RETURN RECEIPT REQUESTED**

July 13, 2012

Rick Porco
Owner
Luci, Inc. dba Cavalier Cleaners
9615 Meech Ave.
Cleveland, OH 44105

NON-HPV

FACILITY ID: 13-18-00-8407

NOTICE OF VIOLATION: Failure to conduct leak checks and utilize a halogenated hydrocarbon detector for emissions units D001: Suprema 253L dry to dry cleaning machine, D002: Suprema E 60L dry to dry cleaning machine, and D003: Real Star M700 dry to dry cleaning machine; Failure to submit quarterly deviation reports for emissions units D001: Suprema 253L dry to dry cleaning machine, D002: Suprema E 60L dry to dry cleaning machine, and D003: Real Star M700 dry to dry cleaning machine; Failure to contain waste and filters in a sealed container; Failure to maintain rolling 12-month average perchloroethylene usage logs; Failure to obtain City of Cleveland permits to operate for calendar years 2007, 2008, 2010 and 2011

Dear Mr. Porco:

On June 22, 2012, the Cleveland Division of Air Quality (CDAQ) inspected Luci, Inc. dba Cavalier Cleaners (Luci, Inc.) located at 9615 Meech Ave. 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.

Luci, Inc. operation of emissions units D001: Suprema 253L dry to dry cleaning machine; D002: Suprema E 60L dry to dry cleaning machine; and D003: Real Star M700 dry to dry cleaning machine is in violation of Title 40 Code of Federal Regulations (CFR) Subpart M Section 63.322(o)(1)(i) which states that area sources shall conduct monthly inspections using a halogenated hydrocarbon detector or perchloroethylene (PCE) gas analyzer that is operated according to the manufacturer's instructions. The operator shall place the probe inlet at the surface of each component interface where leakage could occur and move it slowly along the



interface periphery. Luci, Inc. has failed to utilize a halogenated hydrocarbon detector or PCE gas analyzer. Dry cleaning machines installed before December 21, 2005, had to begin using a detector after July 28, 2008. Any machines installed after December 21, 2005, had to begin using a detector immediately upon startup. CDAQs records indicate that EU D001: Suprema 253L dry to dry cleaning machine was installed in July 2004; EU D002: Suprema E 60L dry to dry cleaning machine was installed in May of 2004; and EU D003: Real Star M700 dry to dry cleaning machine was installed in June of 2005. Luci, Inc. has failed to complete monthly leak checks for EUs D002 and D003 since at least July 28, 2008, until they were recently drained, a specific date was not provided by Luci, Inc. as to when these units were drained. Luci, Inc. has also failed to complete monthly leak checks utilizing a halogenated hydrocarbon detector or perchloroethylene (PCE) gas analyzer for EU D001 since July 28, 2008, and continues to currently do so.

CDAQ is aware that EUs D002 and D003 have been drained and are currently not in use. However, Title 40 CFR Subpart M Section 63.322(k) and (l) also requires that the owner or operator of a small area source dry cleaning system inspect the system weekly for perceptible leaks while the dry cleaning system is operating. Inspection with a halogenated hydrocarbon detector or PCE gas analyzer also fulfills the requirement for inspection for perceptible leaks. Luci, Inc. has failed to complete weekly leak checks for EUs D002 and D003 since at least July 28, 2008, until they were recently drained, a specific date was not provided by Luci, Inc. as to when these units were drained. Luci, Inc. has also failed to completed weekly leak checks on EU D001 since at least July 28, 2008. This is also a violation of Ohio Administrative Code (OAC) Rule 3745-21-09(AA)(3) and Ohio Revised Code (ORC) Section 3704.05(C).

Luci, Inc. has failed to submit Quarterly Deviation Reports (QDRs) for emissions units (EUs) D001: Suprema 253L dry to dry cleaning machine; D002: Suprema E 60L dry to dry cleaning machine; and D003: Real Star M700 dry to dry cleaning machine as required in permit-to-install (PTI) 13-04364 for EU D001; PTI 13-04610 for EU D002; and PTI 13-04660 for EU D003. The reports are required to be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and cover the previous calendar quarters.

Luci, Inc. is now required as of July 6, 2012, to submit an Annual Permit Evaluation Report (PER) for the reporting period of July 1, 2012 through June 30, 2013, which is due August 15, 2013, and submitted annually thereafter.

Luci, Inc. has failed to contain waste containing PCE in a sealed container. This is a violation of Title 40 CFR Subpart M Section 63.322(j) and ORC Section 3704.05(C).

Luci, Inc. has also failed to maintain a rolling 12 month average of perchloroethylene (PCE) usage. This is a violation of Title 40 CFR Subpart M



Section 63.324(d)(2); Title 40 CFR Subpart M Section 63.323(d); and OAC Rule 3745-21-09(AA)(4)(d) and ORC 3704.05(C).

Additionally, Luci, Inc. has failed to obtain City of Cleveland permits-to-operate by submitting city permit fees for calendar years 2007, 2008, 2010 and 2011. This is a violation of City of Cleveland Codified Ordinances 259.01 and 263.01. Calendar year 2012 city permit fees were received on July 5, 2012.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Luci, Inc. complete and submit the items listed below to the following enforcement representative within thirty (30) days of receipt of this letter:

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

- submit an invoice demonstrating proof of purchase of a halogenated hydrocarbon detector or a PCE gas analyzer and a copy of a completed leak check utilizing the leak detector;
- contain all waste containing PCE in a sealed container and submit proof that a sealed waste container is being utilized, such as an invoice of purchase or a photograph to CDAQ;
- complete a 12-month rolling average of PCE usage for 2012 based on clothing poundage charts and PCE invoices and continue to do so in the future; and
- obtain City of Cleveland permits-to-operate by submitting city permit fees for calendar years 2007, 2008, 2010, and 2011

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

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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for Luci, Inc.: 13-18-00-8407.

Sincerely,

A handwritten signature in cursive script that reads "Valencia White".

Valencia White
Chief of Enforcement, CDAQ

VW/mm LK

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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encl: Sample of weekly leak check log
City of Cleveland permit-to-operate invoices for calendar years 2007, 2008,
2010, and 2011