



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
Cleveland, Ohio 44114-1839
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www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7011 3500 0000 1759 7983
RETURN RECEIPT REQUESTED**

May 3, 2012

Kenneth F. Obloy
Kyron Plating
1336 W. 114th Street
Cleveland, Ohio 44102

NON-HPV

FACILITY ID: 13-18-00-8175

NOTICE OF VIOLATION: Failure to comply with the requirements of National Emission Standards for Chromium Emissions (MACT standard N); Failure to maintain annual ongoing compliance status reports; Failure to submit a renewal application for the operation of your Decorative Hexavalent Chromium Electroplating Tank; Failure to submit a permit-to-install/operate application for the operation of your Decorative Trivalent Chromium Electroplating Tank; Failure to obtain City of Cleveland permits to operate for the operation of your chromium, nickel and acid copper plating tanks

Dear Mr. Obloy:

On April 10, 2012, the Cleveland Division of Air Quality (CDAQ) inspected Kyron Plating located at 1336 W. 114th Street 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.

Kyron Plating's operation of emissions unit (EU) P001: Decorative Hexavalent Chromium Electroplating Tank, is in violation of the National Emission Standards for Chromium Emissions (40 Code of Federal Regulations (CFR) Subpart N) § 63.347(h), permit-to-operate (PTO) No. P0094931, and Ohio Revised Code (ORC) 3704.05(C), in that Kyron Plating failed to prepare annual ongoing compliance status reports as required. Furthermore, Kyron Plating failed to submit a renewal permit-to-install/operate (PTIO) application for its operation of EU P001 after PTO No. P0094931 expired on October 30, 2011. This is also a violation of ORC 3704.05(F).

Kyron Plating's operation of EU P002: Decorative Trivalent Chromium Electroplating Tank, is in violation of 40 CFR 63 Subpart N, § 63.345(b)(1), in that a notice of construction containing the requirements of 40 CFR Subpart N § 63.345(b)(2), was not submitted. Additionally, Kyron Plating is in violation of 40 CFR Subpart N § 63.347(i), for failing to submit an initial notification and a notification of compliance status.



In addition, Kyron Plating's operation of EU P002 is in violation of Ohio Administrative Code (OAC) Section 3745-31-02(1)(b), in that a PTIO application was not received for EU P002's installation and operation. This is also a violation of ORC 3704.05(F).

Moreover, Kyron Plating's operation of two Chromium Plating Tanks, two Nickel Plating Tanks and one Acid Copper Plating Tank is in violation of City of Cleveland Codified Ordinances 259.01 and 263.01. Kyron Plating has failed to obtain City of Cleveland permits-to-operate by submitting City of Cleveland Air Contaminant Source fees for the following calendar years: 2007, 2008, 2009, 2010 and 2011. The applicable Air Contaminant fee invoices have been included with this letter. Please note that EU P002 is not included in the 2007 fee invoice; it is CDAQ's understanding that EU P002 was installed in January 2008.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Kyron Plating submit the following:

- a corrective action plan that requires the completion of annual ongoing compliance status reports for EU P001, as required by 40 CFR Subpart N § 63.347(h), and PTO No. P0094931.
- a renewal PTIO application for the continued operation of EU P001, as PTO No. P0094931 expired on October 30, 2011.
- applicable notifications per 40 CFR 63 Subpart N, § 63.345(b)(1) and § 63.347(i). Specifically, a notice of construction meeting the requirements of 40 CFR 63 Subpart N, § 63.345(b)(2); and an initial notification and notification of compliance status per 40 CFR Subpart N § 63.347(i).
- a new PTIO application for the operation of EU P002: Decorative Trivalent Chromium Electroplating Tank.

Your written response to this letter must be received by CDAQ within thirty (30) 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. Future correspondence related to this matter should be submitted to the following enforcement representative:

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

CDAQ is also requesting that Kyron Plating obtain City of Cleveland permits-to-operate by submitting City of Cleveland Air Contaminant Source fees for the following calendar years: 2007, 2008, 2009, 2010 and 2011. Payment must be received by CDAQ within thirty (30) days of receipt of this letter, and should be sent to the following address:

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



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.

Permit-to-install/operate (PTIO) applications may be completed through the Ohio EPA eBusiness Center at <https://ebiz.epa.ohio.gov/>. An account is required to be created and a pin number assigned.

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.ohio.gov/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 Valerie Shaffer at (216) 664-6292. All correspondence with CDAQ must include the Ohio EPA facility identification number for Kyron Plating: 13-18-00-8175.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/vls

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: City of Cleveland Air Contaminant Source fees for calendar years: 2007, 2008,
2009, 2010 and 2011
PTIO application & EAC form