



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 7003 1010 0004 2923 4628  
RETURN RECEIPT REQUESTED

April 1, 2009

Gerald J. Schill  
Chemical Solvents, Inc.  
3751 Jennings Road  
Cleveland, OH 44109

FACILITY ID: 13-18-00-7651  
RECEIPT OF CORRECTIVE ACTION PLAN: NOTICE OF VIOLATION / REPORTING  
VIOLATIONS

Dear Mr. Schill:

On January 16, 2009, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation (NOV) to Chemical Solvents, Inc. (CSI) located at 3751 Jennings Road in Cleveland. CSI responded to the cited violations in a letter received by CDAQ on February 5, 2009. The letter requested a meeting with CDAQ and CSI to discuss noted violations and to review permits on file with CDAQ.

A meeting was held between CSI and CDAQ on March 12, 2009, and the following individuals were present:

Valerie Shaffer, CDAQ, Environmental Enforcement Specialist  
Valenica White, CDAQ, Field Enforcement Manager  
Jim Braun, CDAQ, Permit Review Manager  
Larry Maline, CDAQ, Environmental Compliance Specialist  
Tony Dattilo, EnviroMatrix (on behalf of CSI)

Violations cited by CDAQ and CSI's response and corrective actions are listed below.

1. Inadequate annual reporting as required by J002's PTO

**VIOLATION:**

CSI's operation of emissions unit J002: Solvent loading and unloading racks at Jennings, is in violation of Ohio Revised Code (ORC) sections 3704.05 (C) and (D), in that submitted annual reports for J002 did not contain all required information per the issued permit to operate (PTO). The following information was omitted: summary report on the operation, replacement, and repair of the elapsed time meter; and the operating hours of the compressor and/or the vapor recovery system. CSI has been in violation for reporting years 2005, 2006, and 2007.

**RESPONSE/CORRECTIVE ACTION:**

CSI agreed to submit timely and adequate reports for emissions units J002, as required in



the issued permit to operate. CSI received a copy of the terms and conditions of the issued permit to operate for J002.

CDAQ is requesting that CSI provide the required information for reporting year 2008 or present data, as required by the permit, by April 17, 2009.

2. Semi-annual deviation reports not received for L001 and L002

VIOLATION:

CSI's operation of emissions units L001 and L002: Rim paint stripping operations, are also in violation, in that semi-annual deviation reports for the past four (4) years, as required by PTI #13-03755, have not been received by CDAQ. After a thorough review of submitted reports, CDAQ has determined that the latest semi-annual deviation report, dated July 30, 2004, was received for the first half of 2004. This is a violation of PTI #13-03755, and ORC sections 3704.05 (C) and (D).

It should be noted that CDAQ issued a Notice of Violation (NOV) to CSI on July 16, 2004, citing CSI with failure to submit semi-annual deviation reports, as required per PTI#13-03755, part I, section (A)(1)(c)(iii).

Again, on May 9, 2005, CDAQ issued another NOV to CSI, citing the same violation and added that semi-annual annual deviation reports are required every six months, i.e. January 31 and July 31 of each year for the previous six calendar months. CDAQ also noted in the May 9, 2005 NOV that CSI has not submitted a semi-annual report since July 30, 2004.

RESPONSE/CORRECTIVE ACTION:

CSI agreed to designate quarterly deviation letters to fulfill the semi-annual requirement.

CDAQ is requesting a semi-annual deviation report for the second half of 2008, by April 17, 2009. Please be aware that your permit for L001 and L002 requires a report even if no deviations are reported for a reporting period.

3. PTIO applications not received for T074 and T076; and required deviation reports not received for T074 and T076

VIOLATION:

CSI's operation of emissions units T074 and T076: 30,000 gallon solvent tanks 35 and 33, respectively, are in violation of their issued PTI. Quarterly and semi-annual deviation reports for both units have not been received by CDAQ since permit issuance on May 11, 2004. The above are violations of PTIs #13-4195 and #13-3958, respectively, and ORC sections 3704.05 (C) and (D).

In addition, operating permits for T074 and T076 have not been applied for within one year following PTI issuance of both units which occurred on May 11, 2004. This is a violation of ORC 3704.05 sections (F), and (G); and Ohio Administrative Code 3745-31-02(A)(1)(b).



**RESPONSE/CORRECTIVE ACTION:**

CDAQ has received notification from CSI on March 30, 2009, to withdrawal issued PTIs for both sources, and thus, CDAQ withdraws its request of quarterly and semi-annual deviation reports for both units. CSI has stated that potential to emit VOCs, for both tanks, are below the de minimis threshold of 10 lbs/day, and are connected to a vapor balance system.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that CSI submit the above requested annual J002 report and semi-annual L001 & L002 deviation report by April 17, 2009, to the following environmental enforcement representative:

Valerie Shaffer  
Cleveland Division of Air Quality  
75 Erieview Plaza, 2<sup>nd</sup> flr  
Cleveland, Ohio 44114-1839

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 Valerie Shaffer at (216) 664-6292. All correspondence with CDAQ must include the Ohio EPA facility identification number for Chemical Solvents, Inc.: 13-18-00-7651.

Sincerely,

Valencia S. White  
Field Enforcement Manager, CDAQ

VW/vls

cc: Tony Dattilo, EnviroMatrix, Inc  
Timothy P. McNeilly, Chemical Solvents, Inc.  
John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318007651\2008 Inspection\2008-12-05 RCAP.doc

**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:

CHEMICAL SOLVENTS, INC  
ATTN: GERALD SCHILL  
3751 JENNINGS ROAD  
CLEVELAND, OH 44109

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*K. Erny*  Addressee

B. Received by (Printed Name) C. Date of Delivery  
*K. Erny* *8/18/01*

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

2. Article Number  
(Transfer from service label) 7003 1010 0004 2923 4628

**ENVIROMATRIX, INC.**

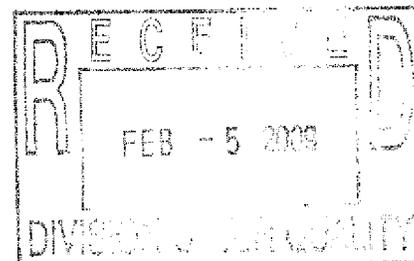
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**Engineering,  
Analytical Services &  
Environmental Consulting**

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Bath, Ohio 44210-0488  
330/278-2195 Fax 330/278-2509

City of Cleveland  
Department of Public Health  
Division of Air Quality  
75 Erievue Plaza  
Cleveland, Ohio 44114-2080  
Attn: Mr. George Baker



Re: Chemical Solvents Inc.  
Facility ID #13-18-00-7651  
Response to January 16, 2009 NOV

Dear Mr. Baker:

CSI has received your letter of January 16, 2009. In this letter you cite violations for three sources each of which will be addressed below. You have also requested that data be provided for the drum filling operation beyond that required in the permit.

**1. Inadequate annual reporting as required by J002's PTO**

The PTO requires that any repair to the elapsed time meter be reported. No such repairs have occurred to report. In addition, the unit runs 8760 hours per year and has had no down time to report. Further CSI has requested in 2002, 2004 and 2006 the opportunity to review the files containing this permit as it appears several different versions exist. My personnel review in April 2002 produced only Tank PTI/PTO applications. I asked for the process permits which were not able to be located. Again in 2004 CSI and I asked to review the process permits which were not located. In July 2006 CSI contacted Ms. Erica Engel-Ishida at OEPA who suggested CSI contact CDAQ. CDAQ was contacted on July 24, 2006 and July 25, 2006 to obtain copies of the PTI/PTO for this source. Copies were never provided. On August 30, 2006 CSI meet with CDAQ and Ohio EPA and demonstrated that the emission limits in J001 and J002 were overly restrictive. To date no revised PTO has been issued. CSI would like to resolve this issue by comparing the actual permits on file with CDAQ with the CSI permits. Resolution of the differences would help CSI maintain compliance with the mutually agreed upon Terms and Conditions.

*Copy of  
T&C given to  
Tommy Duffalo  
on 3/12/09*

**2. Semi-annual deviation reports not received for L001 and L002**

CSI has since 2004 submitted quarterly reports which indicate no deviations have occurred. This includes any deviations from emission limitations, operational restrictions, and control device operating parameter limitations, plus monitoring, recordkeeping, and reporting requirements. Thus all the information necessary has been reported for the units. No mention of the Semi- Annual reports was made in the meetings between OEPA, CDAQ and CSI in 2006, nor did CSI receive any notice concerning this issue in 2005. CSI will note on the January and June Deviation Reports that the reports are also being submitted as semi-annual reports.

*✓*

3. PTIO applications not received for T074 and T076; and required deviation reports not received for T074 and T076.

CSI was first provided copies of the issued PTI Modifications for these tanks on December 24, 2008. The provided information did not include what original PTI's may have been issued but only the Modified PTI's. On August 15, 2004 CSI demonstrated, through its Consultant Poly Science, that these tanks were a de minimis emission source. I further provided the data for 2006 and 2007 from the USEPA Tanks Calculations which indicates that the emissions from these tanks are de minimis. In fact all the tanks at the facility have typical emissions of one pound or less of VOC's per day. As such, if CSI would have received the PTI's for these sources, CSI would have withdrawn the PTI applications rather than have submitted PTO applications.

*Handwritten:*  
- would  
letter to  
withdraw  
PTI's  
33, 34, 35  
on 3/13/09

You have also requested that CSI provide "detailed organic compound and VOC emissions from drum and tote filling operations". Please elaborate on this request and what type of detail is being requested. I provided a calculation based upon AP42 Emission Estimates that indicated that the total loss from drum and tote filling operations from 2007 was 4586.12 pounds/year. Roughly 70% of which was Acetone. This would seem a small source for such onerous record keeping.

CSI would also like to resolve the PTO issues associated with the LUWA Units. An ITT was submitted in January 2007 and Testing of this source was conducted in May 2007. To date no PTO's have been issued for these sources.

CSI would also like the opportunity to sit and compare the permits on file with CDAQ with the permits on file at CSI. I believe it would be productive to have one consistent set of permits between the facility and CDAQ. Further, I believe it would be helpful to resolve any nomenclature issues between the tank permits which have been issued.

*Handwritten:*  
CDAQ/CSI meeting

Please let us know how best to proceed to resolve the issues presented.

*Handwritten:*  
- concluded on  
3/12/09  
- VS  
- LIM  
- SB  
- VW  
- Tony Dattilo (CSI)

Sincerely,  
Enviromatrix, Inc.

*Signature of Anthony A. Dattilo*  
Anthony A. Dattilo  
President

Cc: Mr. Jerry Schill, CSI  
Mr. Tim McNeilly, CSI

