



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 #70093410000219338899
RETURN RECEIPT REQUESTED**

April 28, 2011

George Sajner
Pioneer Manufacturing
4529 Industrial Parkway
Cleveland, OH 44135

NON-HPV

FACILITY ID: 13-18-00-7715

NOTICE OF VIOLATION: Failing to keep required records

Dear Mr. Sajner:

On April 13, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Pioneer Manufacturing (Pioneer) located at 4529 Industrial Parkway 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.

Pioneer has failed to keep the following records as required by permit-to install/operate (PTIO) #P0106410 issued October 13, 2010, Part C. Section (1)(d): for emission unit P001: Latex paint blending tanks with covers/fabric filter. (2) 1200 gallon blending tanks with a Bowers disperser for mixing pigments, resins, water, and additives for the manufacturing of latex paint, prior to January 1, 2011. This is a violation of Ohio Revised Code (ORC) 3704.05 (C):

(1) The permittee shall keep the following information for this emission unit each day:

- a. the name and identification for each paint product;
- b. the total number of batches of each paint product;
- c. the amount of materials used in each paint type produced, in pounds;
- d. the total operating time for the batch, in hours;
- e. the total average hourly organic compound emissions from all batches of paints produced;



- f. the total average hourly particulate emissions from all batches of coatings produced.

Also, Pioneer has failed to keep the following records as required by permit-to install/operate (PTIO) #P0106410 issued October 13, 2010, Part C, Section (2)(d) and Permit-to-Install (PTI)# 13-03745 Part II, Section (1)(C) for Emission Unit P901: Latex paint manufacturing process consisting of a 3000 gallon mixing tank for blending dry pigments, water, latex resin and additives, provided with a 2,400 cfm Torit baghouse, prior to January 1, 2011. This is a violation of ORC 3704.05 (C):

- (1) The permittee shall keep the following information for this emission unit each day:
 - a. the name and identification for each coating produced;
 - b. the total number of batches of each coating product;
 - c. The name and amount of materials used in each coating produced, in pounds;
 - d. the total operating time for the process, in hours;
 - e. the total average hourly organic compound emissions from all batches of coatings produced;
 - f. the total average hourly particulate emissions from all batches of coatings produced.
 - g. The total average hourly ethylene glycol emissions from all batches of paints produced

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Pioneer submit the above listed record keeping for the year 2010, within thirty (30) days of receipt of this letter, to the following enforcement representative:

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

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.

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 Andrew Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Pioneer Manufacturing: 13-18-00-7715.

Sincerely,

A handwritten signature in black ink that reads "Linda Kimmy".

Linda Kimmy

Field Enforcement Manager

LK/ak

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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MANUFACTURING COMPANY
4529 Industrial Parkway • Cleveland, OH 44135
www.pioneerathletics.com

(216) 671-6500
Toll Free: (800) 877-1500
Fax: (800) 877-1511

RECEIVE

MAY 13 2011

May 12, 2011

Mr. Andrew Kenney
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, OH 44114-1839

Dear Mr. Kenney:

CERTIFIED MAIL: 7008 0150 0001 8103 7258

In response to the letter of non-compliance issued on April 28, 2011, please find enclosed a disc containing the emissions files for 2010. This data is in the form of an Excel spreadsheet and the data for each emissions unit is contained in a separate worksheet.

Please let me know if you have any questions regarding this information or if you require further data.

Sincerely,


George S. Sajner
Technical Director

Enclosure: CD