



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 4444  
RETURN RECEIPT REQUESTED

December 2, 2010

Michael Ciofani  
Ferro-Prep Corporation  
900 East 69<sup>th</sup> Street  
Cleveland, OH 44103

NON-HPV

FACILITY ID: 13-18-00-7892

**NOTICE OF VIOLATION:** Failure to submit a new application for P001: Shot Descaler and failure to obtain city permits-to-operate by submitting city permit fees for calendar years 2006, 2007 and 2008

Dear Mr. Ciofani:

The Cleveland Division of Air Quality (CDAQ) is sending this letter in regards to Ferro-Prep Corporation located at 900 East 69<sup>th</sup> 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.

Ferro-Prep Corporation has not submitted a new Permit to Install/Operate (PTIO) application for P001: Shot Descaler since the Permit to Operate (PTO) expired on June 12, 2007. Operating an emissions unit without a permit is a violation of Ohio Administrative Code (OAC) Rule 3745-31-02(A)(1)(c)(2) and Ohio Revised Code (ORC) Section 3704.05(F).

Ferro-Prep Corporation also failed to obtain city permits-to-operate by submitting city permit fees for calendar years 2006, 2007 and 2008. This is a violation of City of Cleveland Codified Ordinances 259.01 and 263.01.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Ferro-Prep Corporation submit a new PTIO application for P001: Shot Descaler and city permit fees for calendar years 2006, 2007 and 2008 to the following enforcement representative:

Andrew Marantides  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839



Your written response to this letter must be received by CDAQ within fourteen (14) 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.

PTIO applications and instructions can be found online at the following website:  
<http://www.epa.state.oh.us/dapc/fops/eac/eacforms.aspx>.

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 Andrew Marantides at (216) 420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for Ferro-Prep Corporation: 13-18-00-7892.

Sincerely,

*Linda Kimmy for G.B.*

George Baker  
Chief of Enforcement

GB/AM

cc: Yismaw Desta, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318007892\2010-12-2 NOV.docx

encl: City permit fees for calendar years 2006, 2007 and 2008

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, 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:

Michael Ciofani  
Ferro-Prep Corporation  
900 East 69<sup>th</sup> Street  
Cleveland, OH 44103

2. Article Number

(Transfer from service label)

7003 1010 0004 2923 4444

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X



Agent

Addressee

B. Received by (Printed Name)

Michael Ciofani

C. Date of Delivery

10-7-10

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