



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
1925 St. Clair Avenue  
Cleveland, Ohio 44114-2080  
216/664-2297 • Fax: 216/420-8047  
www.clevelandhealth.org

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

**CERTIFIED MAIL 7002 0510 0002 2427 6648  
RETURN RECEIPT REQUESTED**

May 25, 2007

Charles Staresina  
Pro-Tec  
950 East 69<sup>th</sup> Street  
Cleveland, Ohio 44103

**FACILITY ID: 13-18-00-7979**

**Notice of Violation for operating an emissions unit without first obtaining a permit-to-install and improper record keeping**

Dear Mr. Staresina:

On May 24, 2007, the Cleveland Division of Air Quality (CDAQ) investigated a complaint at Pro-Tec located at 950 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.

Pro-Tec's operation of emissions unit K001: Spray Paint Area is in violation of the Ohio Administrative Code (OAC) Rule 3745-31-02(A)(1), 3745-21-09(U)(1)(i) and the Ohio Revised Code (ORC) Section 3704.05(D) and (G). Pro-Tec has been in violation of OAC Rule 3745-31-02(A)(1) since 1982 and in violation of OAC Rule 3745-21-09(U)(i) since 2001.

On 02/21/2001, CDAQ issued a Letter of Warning requiring Pro-Tec to submit Permit-to-Install (PTI) and Permit-to-Operate (PTO) applications along with Emissions Activity Category (EAC) Forms. Pro-Tec submitted PTO applications and EAC forms dated 02/27/2002 to CDAQ. Pro-Tec has not submitted PTI applications for emissions unit K001.

During the complaint investigation, Pro-Tec failed to provide CDAQ with record keeping documents to demonstrate compliance with OAC Rule 3745-21-09(U)(1)(i). Pro-Tec also failed to provide CDAQ a copy of a PTI for emissions unit K001.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Pro-Tec submit a PTI application and a corrective action plan for record keeping violations to the following enforcement representative:

Valencia White  
Cleveland Division of Air Quality  
1925 St. Clair Avenue NE  
Cleveland, Ohio 44114-2080



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.

The appropriate permit application(s) and supplemental form(s) are included with this letter. Please note that all permit application(s) 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.

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 Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by the OCAPP.

Facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production can contact the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518 and 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 Valencia White at 216-664-2953. All correspondence with CDAQ must include the Ohio EPA facility identification number for Pro-Tec: 13-18-00-7979.

Sincerely,

Valencia White  
Field Enforcement Manager, CDAQ

cc: Richard Nemeth and Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318007979\2007-05-25 NOV.doc

Encl: PTI application

**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:

Charles Staresina  
Pro-Tec  
950 East 69th St.  
Cleveland, Oh  
44103

2. Article Number

(Transfer from service label)

7002 05 10 0002 2427 6648 (1318007979)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee  
X *M. Kelly*

B. Received by (Printed Name) *M. Kelly* C. Date of Delivery *8-30-03*

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