



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 0860 0006 9069 3323
RETURN RECEIPT REQUESTED**

August 27, 2007

Charles S. Staresina
Pro-Tec
950 East 69th Street
Cleveland, OH 44103

HIGH PRIORITY FACILITY

FACILITY ID: 13-18-00-7979

2nd Notice of Violation: Violating US EPA MACT requirements and Title V applicability

Dear Mr. Staresina:

On June 7, 2007, the Cleveland Division of Air Quality (CDAQ) issued a Receipt of Corrective Action Plan requiring Pro-Tec to submit a permit-to-install (PTI) application and a corrective action plan for recording keeping violations discovered during the complaint investigation conducted on May 25, 2007. CDAQ is in receipt of a corrective action plan dated June 19, 2007, including a synthetic minor PTI application and copies of daily paint usage forms. The information provided by Pro-Tec identified an additional violation. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Based on information Pro-Tec submitted on June 19, 2007, Pro-Tec's operation of emissions unit K001: Miscellaneous Metal Parts Spray Coating Line has been in violation of the Code of Federal Regulations (CFR) Title 40 Part 63 Subpart M MMM since January 2, 2004 (Final Rule implementation date). Existing sources were required to demonstrate compliance with this rule by January 2, 2007. Since no initial notification was received from Pro-Tec within the timelines outlined in 40 CFR 63 subpart M MMM, Pro-Tec has been in violation of the MACT and Title V requirements since January 2, 2004.

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 Title V permit application and also choose a compliance option from 40 CFR 63 subpart M MMM 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.

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,

A handwritten signature in black ink, appearing to read "George Baker".

George Baker
Chief of Enforcement, CDAQ

GB/vw

cc: James Mueller, Poly Science Engineering Group, Inc.
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 (2nd) NOV - MACT
Violations.doc



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SENDER INFORMATION ACTION ON DELIVERY

- 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
 Owner
 Protec
 950 E. 69th Street
 Cleveland, OH
 44103

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

CHARLES STARESINA
 SEP 12 2007

D. Is delivery address different from item 1? Yes
 No
 If YES, enter delivery address below

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) 70020860000690693323(13-18-00-7979)