



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
Cleveland, Ohio 44114-1839
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www.clevelandhealth.org

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

**CERTIFIED MAIL #70093410000219338882
RETURN RECEIPT REQUESTED**

April 8, 2011

Jon Zuccola
Clerac, Incorporated aka Enterprise
18715 Maplewood Avenue
Cleveland, OH 44135

**FACILITY ID: 13-18-00-8240
Notice of Violation: Failing Stage II Testing**

Dear Mr. Zuccola:

On March 30, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Clerac, Incorporated aka Enterprise (Enterprise) located at 18715 Maplewood Avenue 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.

Enterprise has failed a Dynamic Pressure test as stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2). This is a violation of Ohio Administrative Code Rule 3745-21-09(DDD)(1)(c), and Ohio Revised Code Section 3704.05 (G).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Enterprise perform and pass a Dynamic Pressure test within thirty (30) days of receipt of this letter. Please submit scheduling of the re-test to CDAQ within fourteen (14) days.

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.

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 Clerac, Incorporated aka Enterprise: 13-18-00-8240.

Sincerely,

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
Jon Zuccola, Enterprise Corporate

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