



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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SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL #70093410000219339810
RETURN RECEIPT REQUESTED

June 23, 2010

Skip Glover
Cansto Paint and Varnish Company
9320 Woodland Avenue
Cleveland, OH 44104

NON-HPV

FACILITY ID: 13-18-00-8350

NOTICE OF VIOLATION : Failing to follow terms and conditions of permit-to install 13-03966 and failing to obtain city of Cleveland permits-to-operate

Dear Mr. Glover:

On May 21, 2010, June 3, 2010, and June 4, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Cansto Paint and Varnish Company (Cansto) located at 9320 Woodland 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.

Cansto has failed to comply with the following terms and conditions of their permit-to-install (PTI) 13-03966 for Emission units P001, P002, P003, P004, P005, P006, P007 and P008 since the issuance of the permit on January 7, 2003, which is a violation of PTI 13-03966 as well as Ohio Revised Code (ORC) 3704.05(C):

- Part I. Section A. (2)(b.) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and record keeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventative measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e. by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)



- PART II. Section C. (1.) The permittee shall collect and record the following information each day for this emissions unit.
 - a. the company name and identification number of each paint batch being manufactured;
 - b. the total amount, in pounds, of each paint batch being manufactured;
 - c. the total amount, in pounds, of all pigments in each paint batch being manufactured;
 - d. the daily VOC emission rate $\{ [b/2000(\text{lbs/ton})] * [30 \text{ lbs VOC/ton}] \}$; and
 - e. the daily PE emission rate $\{ [c/2000(\text{lbs/ton})] * [20 \text{ lbs PE/ton}] \}$
- PART II. Section D. (2.) The permittee shall submit to CDAQ an annual emissions report including the annual PE and VOC emissions for the process line. This report shall be submitted no later than the end of the first quarter following the previous calendar year

Also, Cansto has not obtained city permits-to-operate by submitting city permit fees for calendar year 2006 and 2007. 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 Cansto submit the following for each emissions unit P001-P008:

- A quarterly report as described above, for the first quarter of 2010,
- Required record keeping, as calculated above, for each day in May, 2010,
- An annual emissions report for 2009,

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

CDAQ also requests that Cansto continue to follow the terms and conditions of PTI 13-03966 from this point going forward.

In addition Cansto must obtain city permits-to-operate by submitting city permit fees for calendar years 2006 and 2007 within thirty (30) days of receipt of this letter and sent to the following address:

City Permit Fee Invoices
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.

The appropriate permit application(s) and supplemental form(s) are included with this letter. Please note that all permit applications 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 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 Cansto: 13-18-00-8350.

Sincerely,

Linda Jimmy for G.B.

George Baker
Chief of Enforcement

GB/ak

cc: Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
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encl: City permit fee invoices for 2006 and 2007