



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
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 7000 0600 0022 4716 6535
RETURN RECEIPT REQUESTED**

March 20, 2012

Rick McCarty
Facility Manager
Sherwin-Williams Company
10740 Broadway Ave. Ste. A
Garfield Heights, OH 44125

NON-HPV

FACILITY ID: 13-18-22-7707

NOTICE OF VIOLATION: Failure to submit quarterly deviation reports

Dear Mr. McCarty:

On March 6, 2012, the Cleveland Division of Air Quality (CDAQ) inspected the Sherwin-Williams located at 10740 Broadway Avenue in Garfield Heights. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

The Sherwin-Williams Company has failed to submit quarterly deviation reports (QDRs) since at least April 30, 2008. QDRs are required to be submitted for the following emissions units (EUs): EU P001: Product service room (PSR) #1 and EU P002: PSR #2. Failure to submit quarterly deviation reports stating that no deviations have occurred is in violation of permit-to-operate (PTO) general terms and conditions listed in #P0095441 issued on February 28, 2008, for EU P001 and PTO #P0095442 for EU P002.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that the Sherwin-Williams Company submit a corrective action plan stating how QDRs will be submitted in the future beginning with first quarter deviation reports for the period of January 1 - March 31, 2012, that are due no later than April 30, 2012. Please submit your response within fourteen (14) days of receipt of this letter to the following enforcement representative:

Megan Murphy
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

QDRs may be electronically submitted through the Air Services at <https://epa.state.oh.us/dapc/airservices>. An account is required to be created and a pin number assigned.



If there is insufficient time to correct the alleged violations within this timeframe, a written response which includes a timeline for correcting the alleged violations must be received within fourteen (14) days of receipt of this letter.

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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for Sherwin-Williams Company: 13-18-22-7707.

Sincerely,

A handwritten signature in black ink that reads 'Valencia White'.

Valencia White
Chief of Enforcement, CDAQ

VW/mm

cc: Michael Soltes, Sherwin-Williams Company
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318227707\2012-3-6 NOV.doc

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, a . 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:

Rick McCarty
Sherwin-Williams
10740 Broadway Ave. Ste A
Garfield Hts., OH 44125

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Name) _____ B. Date of Delivery 3.22.1

C. Signature X [Signature] Agent Addressee

D. Is delivery address different from item 1? Yes No
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3. Service Type
 Certified Mail Express Mail
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2. Article Number (Copy from service label)

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