



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 6559
RETURN RECEIPT REQUESTED**

February 7, 2012

Kenneth Sidoti
Tomlinson Industries
13700 Broadway Ave.
Garfield Heights, OH 44125

FACILITY ID: 13-18-22-6096

**NOTICE OF VIOLATION: FAILURE TO SUBMIT QUARTERLY DEVIATION
REPORTS; ANNUAL VOLATILE ORGANIC COMPOUND (VOC) REPORTS;
ANNUAL COMPLIANCE STATUS REPORTS; AND MAINTAIN AN OPERATION
AND MAINTENANCE PLAN**

Dear Mr. Sidoti:

On December 15, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Tomlinson Industries located at 13700 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.

Tomlinson Industries has failed to submit quarterly deviation reports and annual compliance status reports as required in permit-to-install (PTI) # 13-02514 for the decorative chrome plating line (P006) since at least 2003. Tomlinson Industries has also failed to submit annual VOC reports for the Modular spray paint booth with 2 stations and 2 hand-held spray guns (K002) as required in the permit-to-install (PTI) issued on July 23, 1997. Quarterly deviation reports for P006 are due on January 31, April 30, July 31, and October 31. Annual compliance reports for both P006 and K002 are due by January 31st of each year. CDAQ has been informed that the electrostatic paint spray booth (K001) is currently not in use but may be in the future.

Tomlinson Industries is also required to maintain an operation and maintenance plan for P006 as required in PTI # 13-02514. Records are to be maintained on site for a period of five years. Failure to maintain an operation and maintenance plan is a violation of PTI # 13-02514 and Title 40 Code of Federal Regulations (CFR) Subpart N Section 63.347(f). Title 40 CFR Subpart N Section 63.347 (f)(2)(i) states that the determination of whether acceptable operation and maintenance procedures are being used will be based on information available, including the following: monitoring results; review of the operation and maintenance plan,



procedures, and records; and inspection of the source.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Tomlinson Industries submit a corrective action plan for the reporting requirements for emission units P006 and K002 and a copy of the operations and maintenance plan for P006 within thirty (30) 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

CDAQ also requests that Tomlinson Industries submit permit-to-install/operate (PTIO) applications and accompanying Emission Activity Category (EAC) form(s) for P006, K001 and K002 to the following address within thirty (30) days of receipt of this letter:

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

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 thirty (30) days of receipt of this letter.

PTIO applications can be found at the following web address:
<http://epa.ohio.gov.dapc/fops/eac/eacforms.aspx>. 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.

Permit-to-install/operate (PTIO) applications may be completed through the Ohio EPA eBusiness Center at <https://ebiz.epa.ohio.gov/>. An account is required to be created and a pin number assigned.

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.

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 and 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 Tomlinson Industries: 13-18-22-6096.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/mm lk

cc: Christine Lucas, Tomlinson Industries
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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