



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
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**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7000 0600 0022 4716 6382
RETURN RECEIPT REQUESTED**

May 17, 2012

Kenneth Sidoti
Vice President of Operations
Tomlinson Industries
13700 Broadway Ave.
Garfield Heights, OH 44125

**FACILITY ID: 13-18-22-6096
NOTICE OF VIOLATION FOLLOW-UP LETTER**

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.

CDAQ determined that Tomlinson Industries failed to submit quarterly deviation reports and annual compliance status reports as required in permit-to-install (PTI) # 13-02514 for emissions unit (EU) P006: Decorative chrome plating line, since at least 2003. Tomlinson Industries also failed to submit annual VOC reports for EU K002: Modular spray paint booth with 2 stations and 2 hand-held spray guns, as required in the permit-to-install (PTI) #13-3288 issued on July 23, 1997. Quarterly deviation reports for EU P006 are due on January 31, April 30, July 31, and October 31. Annual compliance reports for both EU P006 and EU K002 are due by January 31st of each year.

CDAQ has been informed that EU K001: Electrostatic paint spray booth is currently not in use but may be in the future.

Tomlinson Industries is also required to maintain an operation and maintenance plan for EU 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.



On February 7, 2012, CDAQ issued a Notice of Violation requesting that Tomlinson Industries submit a corrective action plan for the reporting requirements for EUs P006 and K002 and a copy of the operations and maintenance plan for EU P006. CDAQ also requested that Tomlinson Industries submit permit-to-install/operate (PTIO) applications and accompanying Emissions Activity Category (EAC) form(s) for EUs P006, K001 and K002.

CDAQ received a letter from Tomlinson Industries dated March 6, 2012, requesting a forty five (45) day extension and stating that a representative from the Office of Compliance Assistance and Pollution Prevention (OCAPP) was scheduled to complete a site visit on March 22, 2012.

CDAQ issued a Receipt of Corrective Action Plan (RCAP) letter to Tomlinson Industries on March 14, 2012, requiring that Tomlinson Industries submit a corrective action plan for the reporting requirements for EUs P006 and K002, submit a copy of the operations and maintenance plan for EU P006, and submit permit-to-install/operate (PTIO) applications with accompanying Emission Activity Category (EAC) form(s) for EUs P006, K001 and K002 by April 26, 2012.

CDAQ received PTIO renewal applications for EUs P006, K001, and K002 and a letter dated April 12, 2012.

CDAQ then issued a second RCAP letter on April 18, 2012, requiring that Tomlinson Industries still submit a corrective action plan for the reporting requirements for EUs P006 and K002, and submit a copy of the operations and maintenance plan for EU P006, by May 4, 2012.

CDAQ then received a letter from Tomlinson Industries dated April 26, 2012, requesting another fourteen (14) day extension.

On April 30, 2012, CDAQ issued a third RCAP letter requiring Tomlinson Industries to still submit a corrective action plan for the reporting requirements for EUs P006 and K002, and submit a copy of the operations and maintenance plan for EU P006, by May 18, 2012.

On May 10, 2012, CDAQ received a copy of the operations and maintenance plan for EU P006 and a corrective action plan for reporting requirements for EUs P006 and K002.

Appropriate steps were taken to bring the source into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.



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,

A handwritten signature in cursive script that reads "Valencia S. White".

Valencia White
Chief of Enforcement, CDAQ

VW/mm LK

cc: Christine Lucas, HR Manager, Tomlinson Industries
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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