



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114-2080
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

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

**CERTIFIED MAIL 7001 2510 0006 1130 7349
RETURN RECEIPT REQUESTED**

September 4, 2007

John Newby
North American Manufacturing Co. (NAMCO)
4455 East 71st Street
Cuyahoga Heights, OH 44105

**EMISSIONS VIOLATION
HIGH PRIORITY FACILITY**

**FACILITY ID: 1318173445
NOTICE OF VIOLATION**

Dear Mr. Newby:

On July 24, 2007, the Cleveland Division of Air Quality (CDAQ) inspected NAMCO located at 4455 East 71st Street in Cuyahoga 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.

Pursuant to Ohio Administrative Code (OAC) rule 3745-78-02(F), owners or operator of a synthetic minor facility must submit, in a form and manner prescribed by the Director, a fee emissions report (FER) that quantifies the actual emissions for particulate matter, sulfur dioxide, organic compounds, nitrogen oxides, and lead. The **2006** FER was to be submitted by owners or operators of affected facilities by April 16, **2007**, indicating the actual emissions for the previous calendar year. Also, pursuant to ORC Section 3745.11, Synthetic Minor Title V facilities must pay a fee based upon the reported actual emissions (please see fee schedule located at <http://www.epa.state.oh.us/dapc/fops/synmin.html>). Invoices will generally be issued 30-60 days after we have received your completed fee emissions report.

Our records indicate that your facility was issued a final Synthetic Minor Permit (FESOP or Synthetic Minor PTI) in order to avoid being subject to the Title V permitting requirements. Our records indicate that a Synthetic Minor Title V FER for NAMCO has not been submitted for calendar year **2006** emissions. This letter serves as a warning that failure to fulfill your obligation to submit a fee emissions report for calendar year **2006** will result in the initiation of an Enforcement Action Request to the Ohio EPA, Central Office. Instructions and hard copy report forms can be found at the following web-site address:
<http://www.epa.state.oh.us/dapc/fops/synmin.html>



Please submit a completed Synthetic Minor Air Fee Emissions Report to:

Elisa Thomas
Ohio EPA
Division of Air Pollution Control
SMTV Air Emissions Fee
P.O Box 1049
Columbus, OH 43216-1049

The Notice of Violation sent by Ohio EPA dated July 27, 2007, states that initiation of an Enforcement Action will take place if NAMCO fails to submit a FER. This letter serves as an additional warning to the original notice given by Ohio EPA.

Additionally, NAMCO's FESOP expired on 09/16/2000. Failure to submit permit-to-operate applications is a violation of OAC 3745-35-02(A) and ORC 3704.05(A), (C), and (G).

Furthermore, capture efficiency of K001-K003 could not be verified due to lack of properly operating manometers and clear visual deficiencies of filters within the paint spray booths. If NAMCO fails to show compliance with the emissions restrictions outlined in the FESOP by submitting annual usage records and calculations for HAP and VOC emissions, this may trigger Title V status. If Title V status is triggered, MACT standards would also apply to NAMCO.

NAMCO's "Daily Paint Log" sheets failed to record daily usage and total usage for each coating. These records were being kept until November 2006. Failure to maintain these records is a violation of your permit-to-install (PTI) #13-3218, FESOP, and ORC 3704.05(A), (C), and (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 NAMCO submit a copy of the FER, potential-to-emit (PTE) analysis summary, permit-to-operate applications, copies of filter purchase orders, manometer readings, a month's worth of copies of daily paint logs that satisfy all recordkeeping requirements of issued permits, and annual actual usage and emission calculations to the following enforcement representative:

Kristoffer Gontkovsky
Cleveland Division of Air Quality
1925 St. Clair Avenue NE
Cleveland, Ohio 44114-2080

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.



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 Kristoffer Gontkovsky at (216)420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for NAMCO: 1318173445.

Sincerely,

COPIES

George Baker
Chief of Enforcement, CDAQ

GB/kg

cc: Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318173445\2007-07-24 NOV.doc

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. 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:

JOHN NEWBY
 NAMCO
 4455 EAST 71 ST
 CUYAHOGA HTS, OH 44105

2. Article Number

(Transfer from service label)

7001 2510 0006 1130 7349

17-3448

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Heather Cox* Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

7/10/07

 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes