



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
Cleveland, Ohio 44114-1839
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 18
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7003 1010 0004 2923 5472
RETURN RECEIPT REQUESTED

April 28, 2010

Dave Shoemaker
Cleveland Auto Clinic
8003 Broadway Avenue
Cleveland, OH 44105

NON-HPV

FACILITY ID: Unassigned
NOTICE OF VIOLATION: Air pollution nuisance

Dear Mr. Shoemaker:

On April 27, 2010, the Cleveland Division of Air Quality (CDAQ) responded to a nuisance odor complaint regarding Cleveland Auto Clinic located at 8003 Broadway 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.

Cleveland Auto Clinic was found spray painting a bus on April 27, 2010 at 2:15 p.m. Paint fumes were observed off of Cleveland Auto Clinic's property. The odors are a violation of the City of Cleveland Codified Ordinance 277.08 and the Ohio Administrative Code (OAC) Rule 3745-15-07 for creating an air pollution nuisance.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Cleveland Auto Clinic submit a corrective action plan stating how odors will be prevented from leaving the property to the following enforcement representative:

Andrew Marantides
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 fourteen (14) 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.



Please contact CDAQ if any spray painting operations are planned for the future to determine applicability of state and local air emissions regulations.

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 Marantides at (216) 420-8049. All correspondence with CDAQ must include the facility's name: Cleveland Auto Clinic.

Sincerely,

Linda Kimmey for G.B.
George Baker
Chief of Enforcement

GB/AM

cc: Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\+ Programs\Complaints\BY NAME or LOCATION\Cleveland Auto Clinic\2010-4-27 NOV.docx

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:

Dave Shoemaker
Cleveland Auto Clinic
8003 Broadway Avenue
Cleveland, OH 44105

COMPLETE THIS SECTION ON DELIVERY

A. Signature



Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

2. Article Number

(Transfer from service label)

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