



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 13  
FOR CUYAHOGA COUNTY

CERTIFIED MAIL #7002203000011808  
RETURN RECEIPT REQUESTED

March 29, 2010

Ron Chips  
Euclid Beach Villa Apartments  
125 East 156<sup>th</sup> Street  
Cleveland, OH 44110

NON-HPV

FACILITY ID: Unassigned

Notice of Violation: Operating emission unit without proper permits

Dear Mr. Ron Chips:

On March 18, 2010, the Cleveland Division of Air Quality (CDAQ) responded to an air complaint at Euclid Beach Villa Apartments (Euclid Beach) located at 125 East 156<sup>th</sup> Street 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.

Euclid Beach is operating a 200 horsepower emergency electrical generator without having applied for a state operating permit since it was installed in 2003. This is a violation of Ohio Administrative Code 3745-31-02 (A) and Ohio Revised Code 3704.05(F). Also, Euclid Beach has failed to obtain City of Cleveland permits-to-operate for 2006, 2007, 2008 and 2009, for the emergency electrical generator. This is a violation of The City of Cleveland Codified Ordinances 259.01 and 263.01

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Euclid Beach submit a permit-to-install/operate (PTIO) application or if Euclid Beach qualifies, a permit-by-rule (PBR) notification form to the following address within thirty (30) days of receipt of this letter:

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



CDAQ, also requests Euclid Beach obtain 2006, 2007, 2008 and 2009 city permits-to-operate by submitting city permit fees to the following address within thirty (30) days of receipt of this letter:

City Permit Fee Invoices  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

If there is insufficient time to correct the alleged violations within this timeframe, a written response that includes a timeline for correcting the alleged violations must be sent to the following address within thirty (30) days of receipt of this letter:

Andrew Kenney  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

City permits-to-operate invoices are included in this letter. PBR notification forms for emergency generators can be downloaded at <http://www.epa.ohio.gov/portals/27/pbr/PBRGENERATOR.pdf> and a PTIO application form can be downloaded at <http://epa.ohio.gov/dape/fops/cac/eacforms.aspx>.

Please note that all permit applications or PBR notification forms 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.

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.

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 Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility



identification number for Euclid Beach: Unassigned.

Sincerely,

*Lynda Kimmy for G.B.*

George Baker  
Chief of Enforcement

GB/ak

cc: Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
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enc: City Permit Fee Invoices