



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 7006 0810 0002 4654 0454
RETURN RECEIPT REQUESTED

January 10, 2012

Kevin Elkins
TECT Power
P. O. Box 17187
Euclid, OH 44117-0187

NON-HPV

FACILITY ID: 13-18-20-7467

THIRD NOTICE OF VIOLATION : PERMIT-TO-INSTALL/OPERATE APPLICATION

Dear Mr. Elkins:

On March 24, 2011, the Cleveland Division of Air Quality (CDAQ) inspected TECT Power located at 23555 Euclid Avenue in Cleveland. This letter serves as notification that you are still operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions. Failing to respond to violations of air pollution control laws may result in referral to Ohio EPA for further enforcement action.

CDAQ issued two Notices of Violation (NOV) and other types of correspondence to TECT Power. In accordance with Ohio Administrative Code Rule 3745-31-08(D), the correspondences requested that potential to emit (PTE) calculations or permit-to-install/operate (PTIO) applications be completed to demonstrate that emissions units (EUs) are not subject to any mass emissions limitation or control requirement. CDAQ has not received them yet. The correspondence requested TECT Power submit a PTIO applications and emissions activity category forms or PTE calculations for the following EUs:

a glass-impregnated, also known as glass frit, coating line

P001: ASR plating line No. 1

P004: blue etch anodizing line

P005: acid etch line

P006: ASR plating line No. 2

P007: anodic etch line

P011: abrasive cutting

P015 forging presses

- CDAQ issued the first NOV on May 9, 2011. CDAQ sent the letter via United States Postal Service first-class mail with a return receipt to document its reception. The United States Postal Service returned the letter on June 6,



- because its delivery went unclaimed.
- On June 21, 2011, CDAQ re-sent the first NOV and included a General Letter as a cover letter for the NOV. The General Letter discussed TECT Power's correct mailing address. The General Letter and NOV were sent via certified first-class mail with return receipt to document its reception. The return receipt indicates that its delivery was accepted on June 24, 2011. During the July telephone conversation, you stated that the person who signed the return receipt card doesn't work for TECT Power.
 - CDAQ issued a second NOV on August 8, 2011. The NOV made the same request as the one issued on May 9, 2011. It was sent via certified first-class mail with return receipt to document its reception. The return receipt card indicates that TECT Power received the second NOV on August 17, 2011. During a conversation later that month, you admitted that this was the first time that you had received correspondence from CDAQ and requested an extension from the second NOV's deadline of September 17, 2011.
 - CDAQ granted a deadline extension and issued a Receipt of Corrective Action Plan (RCAP) letter on September 12, 2011. The new deadline for receipt of PTE calculations or PTIO applications became September 30, 2011. The RCAP was sent via certified first-class mail with a return receipt to document delivery. According to the return receipt, TECT Power took delivery of the RCAP on September 21, 2011.
 - A consultant representing TECT Power telephoned CDAQ and sent a letter discussing the PTE calculations and PTIO applications. EA Group's November 10, 2011 letter requested a second deadline extension. The letter included the Material Safety Data Sheet (MSDS) in lieu of PTE calculations for the glass frit coating line. EA Group expected to complete CDAQ's request by November 30, 2011. CDAQ acknowledged the request and receipt of the coating line's MSDS and issued a second RCAP letter on November 17, 2011. The RCAP agreed on the new deadline as November 30, 2011. TECT Power took delivery of the RCAP on November 28, 2011.

Unless you undertake some type of corrective action with respect to the above noted violations you will remain in non-compliance and you may be referred to Ohio EPA or U.S. EPA for further enforcement action. CDAQ requests that TECT Power submit PTE calculations or PTIO applications to the following address:

Permit Section
Cleveland Division of Air Quality
75 Erieview Plz., 2nd Flr.
Cleveland, OH 44114-1839

Your written response to this letter must be received by CDAQ within 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.



Permit applications and supplemental forms may be downloaded from the Ohio EPA's website: <http://www.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.

Alternately, 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.

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 \$25,000 or imprisonment for not more than one year, or both, for each violation.

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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ must include the Ohio EPA facility identification number for TECT Power: 13-18-20-7467.

Sincerely,

Linda Kimmy
Field Enforcement Manager

LK/dlw

cc: Tim Bowen, EA Group
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318207467\2011-03-24 NOV3.docx

102596-02-M-1540

Domestic Return Receipt

2. Article Num (Transfer to) PS Form 3811, February 2004

7006 0817 0002 4654 0454

KEVIN ELKINS
TECT POWER
P O BOX 17187
MILWAUKEE WI 53217

4. Restricted Delivery? (Extra Fee) Yes
3. Service Type
- Insured Mail
 - Registered Mail
 - Certified Mail
 - C.O.D.
 - Return Receipt for Merchandise
 - Express Mail

1. Article Addressed to: *Kevin Elkins*

2. Attach this card to the back of the mailpiece, or on the front if space permits.

3. Restricted Delivery is desired. Yes No

4. Is delivery address different from item 1? Yes No

5. If YES, enter delivery address below:

6. Agent Address *Kevin Elkins*

7. Date of Delivery *NOV 11*

8. by (Printed Name) *Kevin Elkins*

1. Article Addressed to: *Kevin Elkins*

2. Attach this card to the back of the mailpiece, or on the front if space permits.

3. Restricted Delivery is desired. Yes No

4. Is delivery address different from item 1? Yes No

5. If YES, enter delivery address below:

6. Agent Address *Kevin Elkins*

7. Date of Delivery *NOV 11*

8. by (Printed Name) *Kevin Elkins*