



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 #70101870000065913424
RETURN RECEIPT REQUESTED

October 9, 2012

Ken Scholz
Plant Superintendent
Bardons and Oliver, Inc.
5800 Harper Rd
Solon, OH 44139

NON-HPV

FACILITY ID: 13-18-53-7974

NOTICE OF VIOLATION: Failing to record and perform operational restriction record keeping

Dear Mr. Scholz:

On September 18th and 28th, 2012, the Cleveland Division of Air Quality (CDAQ) inspected Bardons and Oliver, Inc. (Bardons) located at 5800 Harper Road in Solon. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Bardons has failed to perform record keeping as required by permit-to-install/operate (PTIO) #P0095912 for Emission Unit K001: Large Paint Booth, BINKS paint booth equipped with 42" fan and paper filters and Emission Unit K002: Small Paint Booth, JBI paint booth equipped with 34" fan and exhaust filters, as outlined in Operational Restrictions, Part C. 1.(c).(2.) and Operational Restrictions, Part C. 2.(c).(2.). This is a violation of Ohio Revised Code 3705.05(C) and your permit.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Bardons submit a corrective action plan outlining the steps that will be taken to complete the record keeping as required by PTIO #P0095912 Part C. 1.(c).(2.) and Part C. 2.(c).(2.) to the following enforcement representative:

Andrew Kenney
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.

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 (\$25,000) 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 Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Bardons and Oliver, Inc.: 13-18-53-7974.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ak

cc: Tom Smith, Bardons and Oliver, Inc.
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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