



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 #70122210000052090243
RETURN RECEIPT REQUESTED**

January 15, 2013

Larry Dean
Dean's Greenhouse, Inc.
3984 Porter Road
Westlake, OH 44145

NON-HPV

FACILITY ID: 13-18-61-2456

NOTICE OF VIOLATION: Failure to submit a Permit Evaluation Report for the period of October 1, 2009, to September 30, 2010

Dear Mr. Dean:

The Cleveland Division of Air Quality (CDAQ) is issuing this letter in regards to the Dean's Greenhouse, Inc. (Dean's) facility located at 3984 Porter Road in Westlake. This letter serves as notification that you are operating a source in violation of the following applicable air statutes, air regulations, or air permit conditions.

Dean's has failed to submit a Permit Evaluation Report (PER) for the period of October 1, 2009, to September 30, 2010, for emission unit B002: 12.6 mm Btu waste oil fired boiler. The PER was due November 15, 2010. This is a violation of Ohio Revised Code (ORC) Section 3704.05(C) and Permit-To-Install and Operate (PTIO) # P0096088, C.1.e.1.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Dean's submit a completed PER for the period of October 1, 2009, to September 30, 2010 to the following address:

Permit Section
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.



PER forms can also be found online at the following website:
<http://epa.ohio.gov/portals/27/permits/PER.pdf>.

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.

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 Dean's Greenhouse, Inc.: 13-18-61-2456.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ak

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
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encl: PER form and instructions