



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 7012 2210 0000 5209 4715
RETURN RECEIPT REQUESTED**

4/5/13

Robert Hatala
Hatala Refinishing
1200 E. 55th St.
Cleveland, OH 44103

**NON-HIGH PRIORITY FACILITY
NON-HPV**

FACILITY ID: 13-18-00-8052

NOTICE OF VIOLATION: Failure to submit documentation of proper training in the use of a high volume, low pressure (HVLP) sprayer for all employees applying coatings; Failure to maintain daily coating usage records in the PTIO specified format; Failure to provide manufacturer's recommendations, instructions or operating manuals for the dry particulate filter; Failure to conduct and maintain records of periodic and annual inspections of the dry particulate filter; Failure to submit correct Permit Evaluation Reports (PERs) for 2010, 2011 and 2012; Failure to provide Material Safety Data Sheets (MSDSs) that establish compliant coating usage

Dear Mr. Hatala:

On 3/26/13, the Cleveland Division of Air Quality (CDAQ) inspected Hatala Refinishing (Hatala) located at 1200 E. 55th St. in Cleveland. 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.

Recordkeeping, training and inspections have not been maintained in the PTIO specified format. And, the PERs that have been submitted are not correct. These are violations of PTIO #: P00094885 Part C, (1)(b) through (f); the Ohio Administrative Code (OAC) rule 3745-15-03(A) and the Ohio Revised Code (ORC) 3704.05(C).

Hatala indicated that the deficiencies noted above exist because they have not received a hard copy of their Permit to Install/Operate (PTIO) renewal #: P0094885 (Enclosed), issued 10/6/10 for emissions unit (EU) K001: 45' x 21' x 15' 10" Ameri-Cure down draft paint spray booth with fiberglass mat filters.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Hatala resubmit the PERs (Enclosed) for 2010, 2011 and 2012 indicating non-compliance with operational restrictions, monitoring and recordkeeping requirements.



Additionally, CDAQ requests that Hatala submit the following information specified in PTIO renewal #: P0094885 Part C, (1)(b) through (f):

- MSDSs that substantiate coating usage in compliance with the Volatile Organic Compound (VOC) limitations established in PTIO #: P00094885 Part C, (1)(b)(2)(a).
- Documentation of proper training in the use of a HVLP sprayer for all employees applying coatings and any solvents used to clean the sprayer as required in PTIO #: P00094885 Part C, (1)(e)(2).
- A two week sample of material usage recordkeeping that tracks coating information as specified in PTIO #: P00094885 Part C, (1)(d)(1)(a),(b) and (c).
- A copy of the manufacturer's recommendations specific to inspections of the dry particulate filter as required by PTIO #: P00094885 Part C, (1)(d)(3)and(4).
- A sample recordkeeping form that will track all the required inspection documentation for the dry particulate filter as specified in the PTIO #: P00094885 Part C, (1)(d)(6)(a), (b), (c) and (d).

Please submit this information to the following enforcement representative:

Dave DeChant
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 thirty (30) 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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for Hatala Refinishing: 13-18-00-8052.

Sincerely,

A handwritten signature in cursive script that reads "Valencia White".

Valencia White
Chief of Enforcement, CDAQ

VW/dd

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: PTIO renewal #: P0094885; PER Forms for 2010,2011 and 2012