

CERTIFIED MAIL

Ms. Cindy Montgomery
Owner
T-Town Cleaners
112 North 4th Street
Toronto, Ohio 43964

Re: Notification of Violations of Air Pollution Control Rules and Laws

Dear Ms. Montgomery:

My staff has informed me of T-Town Cleaners' failure to apply for and obtain a Permit to Install ("PTI") prior to installation of the dry-to-dry, dry cleaning machine, and failure to submit records required by PTI # 06-06953 for the dry-to-dry, dry cleaning machine at the facility located at the above address. This constitutes a violation of OAC Rule 3745-31-02 and ORC § 3704.05(C) and (G), which prohibit the violation of any term and condition of a permit issued by the Director of the Ohio EPA and of any rule adopted by the Director, respectively. The following gives a history of the violations.

An inspector from Ohio EPA, Southeast District Office ("SEDO"), inspected the T-Town Cleaners' facility on April 22, 1999, to determine compliance with all applicable state and federal air pollution control regulations. At the time of the inspection, it was determined that the dry-to-dry, dry cleaning machine had been installed in August 1998 without a PTI.

By letter dated April 30, 1999, SEDO informed T-Town Cleaners of its obligation to apply for and obtain a PTI for the dry cleaning machine. Additionally, the letter explained in detail the record keeping, monitoring, and visual inspection requirements that needed to be implemented in order to comply with state and federal regulations. The letter also suggested that T-Town Cleaners contact the Small Business Assistance Program ("SBAP") to assist it in attaining and maintaining compliance. A response to the letter, including a compliance plan to address the violations cited, was requested within 10 days of receipt of the letter.

T-Town Cleaners submitted a PTI application to SEDO on June 9, 1999. This application was determined to be incomplete, and a letter requesting additional information was sent

to T-Town Cleaners on June 15, 1999. The June 15, 1999 letter also requested the required weekly monitoring records from May 2, 1999 through June 12, 1999. During the April 22, 1999 inspection, T-Town Cleaners had been informed that it needed to be keeping these weekly monitoring records.

On October 27, 1999, T-Town Cleaners submitted a complete and approvable PTI application and the weekly monitoring records that had been requested in the June 15, 1999 letter from SEDO.

On May 31, 2002, SEDO inspected T-Town Cleaners to determine compliance with all applicable state and federal air pollution rules and regulations. At the time of the inspection, the employee who was present did not have access to the records that the facility is required to keep in order to comply with the National Emission Standards for Hazardous Air Pollutants ("NESHAP"), in 40 CFR, Part 63, Subpart M.

By letter dated July 15, 2002, SEDO requested that T-Town submit the records that the facility is required to keep in order to comply with the NESHAP in 40 CFR, Part 63, Subpart M. These records include written, typed or electronic logs containing the following information to be kept on site for a minimum of 5 years:

- volume of perchloroethylene purchased each month, including months in which no perchloroethylene was purchased;
- calculation of annual, rolling 12-month perchloroethylene purchases;
- dates and results of bi-weekly inspections;
- dates of repair and records of written or verbal orders for repair parts;
- record of control equipment repairs;
- annual amount of fabric that has been cleaned with perchloroethylene, in pounds;
- results of any tests for solvent content of the solvent still waste;
- operation and maintenance manuals for all dry cleaning equipment; and
- weekly record of the refrigerated condenser temperature, taken on the outlet side. (This temperature must be less than or equal to 45 degrees Fahrenheit (+/- 2 degrees Fahrenheit.))

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The above-referenced records were requested for the time period since April 2002. SEDO requested submittal of the information within 7 days of the July 17, 2002 letter. As of the date of this letter, SEDO has not received any of the requested information.

We request that you carefully review this letter. Within fourteen (14) days of receipt of this letter, please submit to Ohio EPA the above-mentioned records. The requested information should be sent to Kay Gilmer of SEDO at the following address:

Ohio Environmental Protection Agency
Division of Air Pollution Control
Southeast District Office
2195 Front Street
Logan, Ohio 43138
Attn: Kay Gilmer

If you fail to provide the requested documents within the time frame requested, Ohio EPA will consider alternative enforcement options, including referral of this matter to the Attorney General's Office for enforcement action. The submission of this information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC Chapter 3704.

If you have any questions concerning this letter, please contact Kay Gilmer of the Ohio EPA, SEDO at (740) 380-5257 or Paul Cree of the Ohio EPA, Division of Air Pollution Control at (614) 644-4840. If you have any legal questions concerning this matter, please contact Eva Brault of the Ohio EPA, Legal Office at (614) 644-3037.

Your prompt attention to this matter will be appreciated.

Sincerely,

Christopher Jones
Director

xc: Jim Orlemann, DAPC
Tom Kalman, DAPC
Paul Cree, DAPC

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Eva Brault, Legal Office
Kay Gilmer, DAPC SEDO
Mike Yandrich, DAPC SEDO

CJ:PC:pc