

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7003 1010 0004 2923 3409
RETURN RECEIPT REQUESTED

8/13/08

Richard Hoagland
North Coast Ferrous Supply, Inc.
1208 E. 55th St.
Cleveland, OH 44103

FACILITY ID: Unassigned

NOTICE OF VIOLATION: Open Burning and Operation of Non-Permitted Air Pollution Sources

Dear Mr. Hoagland:

On 8/8/08, the Cleveland Division of Air Quality (CDAQ) inspected North Coast Ferrous Supply, Inc. (NCFS) located at 1208 E. 55th St. in Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

NCFS conducted open burning on two separate documented instances, 7/8/08 and 8/8/08. This is a violation of the City of Cleveland Codified Ordinances (CCO) Title V-Air Pollution Control, Chapter 277.08 and 277.09. Additionally, this is a violation of Ohio Administrative Code (OAC) 3745-15-07 and the Ohio Revised Code (ORC) 3704.05(G).

NCFS also conducts metal cutting/torching operations using propane/oxygen torches. These air contaminant sources have not been evaluated for applicable permits-to-install /operate (PTIO). This is a violation of the Ohio Revised Code (ORC) 3704.03 and the Ohio Administrative Code (OAC) 3745-31-02.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that North Coast Ferrous Supply, Inc. submit a written statement signed by a responsible official indicating they will no longer engage in open burning activities. Also, NCFS must submit PTIO applications for the torching/cutting operations.



All correspondence relevant to the open burning and permit applications should be directed to the following enforcement representative:

Dave DeChant
Cleveland Division of Air Quality
1925 St. Clair Avenue NE
Cleveland, Ohio 44114-2080

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.

The appropriate permit application(s) and supplemental form(s) are included with this letter. Please note that all permit application(s) 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.

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 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.state.oh.us/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.

Sincerely,

George Baker
Chief of Enforcement, CDAQ



GB/dd

cc: Adrienne LaFavre, OCAPP
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
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encl: OCAPP brochure "Need Help With Environmental Regulations"
PTIO applications

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7002 2030 1807 8122
RETURN RECEIPT REQUESTED

9/5/08

Richard Hoagland
North Coast Ferrous Supply, Inc.
1208 E. 55th St.
Cleveland, OH 44103

FACILITY ID: Unassigned
RECEIPT OF CORRECTIVE ACTION PLAN: Open Burning and Operation of Non-
Permitted Air Pollution Sources

Dear Mr. Hoagland:

On 8/13/08, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation (NOV) requesting that North Coast Ferrous Supply, Inc.(NCFS) submit a written statement signed by a responsible official indicating they will no longer engage in open burning activities, and submit permit-to-install/operate (PTIO) applications for the torching/cutting operations. CDAQ is in receipt of a document signed by a responsible official indicating that all personnel had been instructed that open burning would not be tolerated, and a copy of an acknowledgement affidavit that each employee was required to sign confirming receipt of this directive dated 8/26/08. Adrienne LaFavre from the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP) confirmed having ~~met with you on site 8/28/08 and is currently in the process of helping NCSF complete PTIO~~ applications for the torching/cutting operations.

You are expected to comply with submitting the completed PTIO applications for the torching/cutting operations by 9/29/08. Failure to do so may result in referral to Ohio EPA or U.S. EPA for further enforcement action. Fulfillment of your commitments included in the corrective action plan and/or any modifications contained within this letter does not constitute a waiver of CDAQ's ability to refer this matter to Ohio EPA or U.S. EPA for further enforcement action.

CDAQ issues this letter with Ohio EPA's concurrence and 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.

Sincerely,

George Baker
Chief of Enforcement, CDAQ



GB/dd

cc: Adrienne LaFavre, OCAPP
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
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SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7003 2030 0001 1807 8214
RETURN RECEIPT REQUESTED

10/29/08

Richard Hoagland
North Coast Ferrous Supply, Inc.
1208 E. 55th St.
Cleveland, OH 44103

FACILITY ID: Unassigned
NOTICE OF VIOLATION FOLLOW-UP LETTER

Dear Mr. Hoagland:

On 8/13/08, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring North Coast Ferrous Supply, Inc. (NCFS) to submit a written statement signed by a responsible official indicating they will no longer engage in open burning activities, and submit permit-to-install/operate (PTIO) applications for the torching/cutting operations. CDAQ is in receipt of a document signed by Albert R. Newyear, President of NCFS indicating that all personnel have been instructed that open burning would not be tolerated, and a copy of an acknowledgement affidavit that each employee was required to sign confirming receipt of this directive dated 8/26/08. CDAQ is also in receipt of completed PTIO applications for the torching/cutting operations dated 9/25/08 and these are currently under review.

The corrective action plan was received in a timely manner and appropriate steps were taken to bring the source into compliance. NCFS will need to maintain vigilance for potential nuisance concerns. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.

CDAQ issues this letter with Ohio EPA's concurrence and 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.

Sincerely,

Valencia White
Field Enforcement Manager, CDAQ

VW/dd



cc:

Albert R. Newyear, President NCFS
Adrienne Lafavre, OCAPP
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
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