



**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 7011 3500 0000 1759 6818  
RETURN RECEIPT REQUESTED**

May 3, 2013

Eduardo Gonzalez  
President  
Ferrous Metal Processing Corporation  
11103 Memphis Avenue  
Brooklyn, Ohio 44144

**NON-HIGH PRIORITY FACILITY**

**FACILITY ID: 13-18-10-4347**

**NOTICE OF VIOLATION: Failure to comply with terms and conditions of permit-to-operate #P0095196, failure to submit a modified Permit-to-Operate application for Emission Unit P002, and operating Emission Units without a permit**

Dear Mr. Gonzalez:

On April 16, 2013, the Cleveland Division of Air Quality (CDAQ) inspected Ferrous Metal Processing Corporation (Ferrous Metal) located at 11103 Memphis Avenue in Brooklyn. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

During the inspection, CDAQ discovered that Ferrous Metal installed a new scrubber on Emission Unit (EU) P002: Push Pull Pickling Line in 1999. At that time, Ferrous Metal failed to submit a modified Permit-to-Operate (PTO) application. However, a Permit-to-Install/Operate (PTIO) application was submitted on March 27, 2013. This is in violation of Permit-to-Install (PTI) #13-2974, Ohio Administrative Code (OAC) Rule 3745-31-02(A)(1)(b), and Ohio Revised Code (ORC) Section 3704.05(C).

CDAQ also discovered that Ferrous Metal has been operating EU P002 without the required parametric monitoring and recording equipment, which is in violation of PTO #P0095196, and ORC Section 3704.05(C). Ferrous Metal has been in violation since March 14, 2008.



Ferrous Metal is also in violation of OAC Rule 3745-31-02(A)(1), and ORC Sections 3704.05(F) & 3704.05(G), for operating the following air emission sources without first applying for and obtaining a PTIO:

1. Reverse Cold Rolling Mill, installed December 1, 2007. (PTIO was submitted to CDAQ on March 27, 2013.)
2. Generac 155 kw Emergency Electrical Generator, installed 2000.
3. 8,000 Gallon Waste Acid Reserve Tank, installed 2005.
4. (2) LOI Natural Gas Fired Annealing Furnace, Model HPN, 5 MMBTU/HR, installed 2011.
5. (3) Ebner Natural Gas Fired Annealing Furnace, Model HICON, 4.8 MMBTU/HR, installed 2005.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance.

CDAQ requests that Ferrous Metal:

1. Install the required parametric monitoring and recording devices as stated in PTO #P0095196 for EU P002.
2. Perform a stack test on EU P002; CDAQ shall be notified not later than 30 days prior to the proposed test date, the permittee shall submit an "Intent to Test" notification which shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s).
  - a. A comprehensive written report on the results of the emission test(s) shall be signed by the person(s) responsible for the test(s) and submitted within 30 days following completion of the test(s) to the following address:

Permit Section  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839
3. Submit either a PTIO application or a PBR notification form for the Generac 155 kw Emergency Electrical Generator within thirty (30) days of your receipt of this letter to the following address:

Permit Section  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839



4. Submit either PTIO applications or de minimis calculations for the following EUs:
  - a. 8,000 Gallon Waste Acid Reserve Tank
  - b. Two (2) LOI Natural Gas Fired Annealing Furnaces, Model HPN, 5 MMBTU/HR
  - c. Three (3) Ebner Natural Gas Fired Annealing Furnaces, Model HICON, 4.8 MMBTU/HR

PTIO applications and/or de minimis calculations shall be submitted within thirty (30) days of your receipt of this letter to the following address:

Permit Section  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> 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.

The appropriate permit application(s) and supplemental form(s) can be found at:

<http://epa.ohio.gov/dapc/fops/eac/eacforms.aspx>

<http://www.epa.ohio.gov/dapc/pbr/permitbyrule.aspx>

Permit-to-install/operate (PTIO) applications may be completed through the Ohio EPA eBusiness Center at <https://ebiz.epa.ohio.gov/>. An account is required to be created and a pin number assigned.

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.

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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Ferrous Metal Processing Corporation: 13-18-10-4347.

Sincerely,

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

Valencia White  
Chief of Enforcement, CDAQ

VW/BS A small, circular stamp or mark located at the end of the initials "VW/BS".

cc: Chris Hinte, Ferrous Metal Processing Corporation  
Dave Rickus, Ferrous Metal Processing Corporation  
George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V  
L:\Data\Facilities\1318104347\4-16-2013 NOV.docx