

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Charles Slovich
Garfield Alloys
29695 Pettibone Rd
Glenwillow OH 44139

2. Article Number

(Transfer from service k)

7002 2030 0001 1808 8527

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

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Return Receipt for Merchandise

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City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
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 #70022030000118088527
RETURN RECEIPT REQUESTED

February 22, 2010

Charles Slovich
Garfield Alloys, Inc.
29695 Pettibone Road
Glenwillow, OH 44139

FACILITY ID: Unassigned
NOTICE OF VIOLATION FOLLOW-UP LETTER

Dear Mr. Slovich:

On August 21, 2009, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Garfield Alloys, Inc. (Garfield) to submit Permit-to-Operate/Install (PTIO) applications for the following emission units within 30 days of receipt of the letter:

- The Magnesium Dross Tumbler, installed in 1989.
- Tank #1, 25,000 gallon Magnesium Oxide Slurry storage tank installed June, 2002.
- Tank #2, 25,000 gallon Magnesium Oxide Slurry storage tank installed June, 2002.
- Tank #3, 12,000 gallon Magnesium Oxide Slurry storage tank installed June, 2002.
- Tank #4, 15,000 gallon Magnesium Oxide Slurry storage tank installed June, 2003.
- Tank #5, 15,000 gallon Magnesium Oxide Slurry storage tank installed June, 2003.
- Tank #6, 15,000 gallon Magnesium Oxide Slurry storage tank installed June, 2003.
- Tank #7, 15,000 gallon Magnesium Oxide Slurry storage tank installed June, 2003.

Garfield received the Notice of Violation on September 21, 2009. On October 13, 2009, CDAQ received a letter from Garfield requesting a two month extension on



the aforementioned deadline. On October 21, 2009, CDAQ issued a Receipt of Corrective Action Plan (RCAP) letter to Garfield granting an extension to December 14, 2009.

On December 11, 2009, CDAQ received a letter from Garfield requesting an additional 45 day extension. On December 28, 2009, CDAQ issued a Second RCAP letter granting an extension to January 28, 2010.

On January 14, 2010, CDAQ met with Garfield representatives Christopher Kiser and Greg Roush as well as James Mueller of Poly Science Engineering Group (PSEG) to discuss details regarding the tumbler and storage tanks located at Garfield.

On January 25, 2010, CDAQ received two letters from PSEG. The first stated that the tanks and storage pit located at Garfield fall under permit exemption Ohio Administrative Code (OAC) rule 3745-31-03(A)(1)(i) as being exempt. CDAQ agreed with this determination; the tanks and pit do not require PTIO applications.

The second letter stated that the tumbler located at Garfield qualifies for the "De Minimis" source exemption under OAC rule 3745-15-05, and for the permit exemption at OAC rule 3745-31-03(A)(1)(d). However, calculations provided to support De Minimis status used the average concentration of Magnesium. Potential to emit (PTE) calculations require the highest concentration be used (40% per PSEG's letter). In that case, calculations demonstrate that PTE exceeds 10 pounds per day.

The permit exemption at OAC rule 3745-31-03(A)(1)(d) applies to tumblers used for cleaning or deburring of metal products. It does not apply to the tumbler at Garfield Alloys because that tumbler is used as a chemical reaction vessel that changes the composition and state of the metal scrap.

On January 26, 2010, CDAQ received a letter from Garfield requesting an additional 14 days to complete the PTIO application, complete with proper signatures.

On February 3, 2010, CDAQ issued a Third RCAP granting an extension until February 11, 2010, to submit a PTIO application for the tumbler.

On February 11, 2010, CDAQ received a PTIO application for the tumbler.

The PTIO application was received and appropriate steps were taken to bring the source into compliance. 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 Andrew Kenney at 216-420-7683. After an Ohio EPA facility identification number has been assigned to Garfield all correspondence with CDAQ must include that number. Until then, please note "Ohio EPA identification number unassigned" on all correspondence with CDAQ.

Sincerely,

George Baker
Chief of Enforcement, CDAQ

GB/ak VK

cc: Christopher Kiser, Garfield Alloys, Inc.
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
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