



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

July 10, 2008

CERTIFIED MAIL

Mr. Major Hammond
Operations General Manager
Midwest Steel & Alloy Inc.
26949 Chagrin Blvd. #305
Cleveland, Ohio 44122

**RE: NOTICE OF VIOLATION FOR VISIBLE EMISSIONS EXCEEDANCES
MIDWEST STEEL & ALLOY INC.
DAPC FACILITY ID #02 50 11 0861**

Dear Mr. Hammond:

This letter is being sent as a follow-up to visible emissions readings that were taken by Bill Slanina of the Mahoning-Trumbull Air Pollution Control Agency (MTAPCA) on June 16, June 17 and June 19, 2008. These readings were taken in response to visible emissions complaints from the surrounding area. The readings demonstrated that the torch cutting operation (F002) was operating in excess of the limit specified in the permit-to-operate (PTO). Specifically, your facility is operating in violation of the terms and conditions of the PTO for emissions unit F002 issued on August 19, 1997, as well as Ohio Administrative Code (OAC) rule 3745-17-07(B)(1), OAC rule 3745-17-08(B), and Ohio Revised Code (ORC) 3704.05(C).

The MTAPCA inspector observed orange/yellow fugitive visible emissions coming from the torch cutting operation on the three above-mentioned days in the early morning, and recorded readings per Method 9 of 40 CFR Part 60, Appendix A.

Per section A.1 of the PTO for emissions unit F002, "Visible particulate emissions shall not exceed twenty percent opacity as a three-minute average." MTAPCA took readings from the torch cutting operation for one hour on each day, starting at approximately 5:30 a.m. The average opacity readings for the highest period on each of these days, based on a three-minute average, was 39.17%, 22.5% and 29.58%, respectively. These averages are above the permit limit and are a violation of the PTO terms, OAC rule 3745-17-07(B)(1) and ORC 3704.05(C).

MR. MAJOR HAMMOND
MIDWEST STEEL & ALLOY INC.
JULY 10, 2008
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In addition, per section B.4 of the PTO the company is required to "employ good cutting practices when cutting torches are used in order to minimize visible particulate emissions." Also, per OAC rule 3745-17-08(B), the company shall employ "reasonably available control measures to prevent fugitive dust from becoming airborne." The visible emissions clearly show that these requirements are not being met.

In order to return to compliance with the PTO and above-cited rules, please submit a compliance plan to eliminate these excess emissions, complete with time line and milestones, within **14 days of receipt of this letter**.

The submission of the above information does not constitute a waiver of Ohio EPA's authority to seek civil penalties, as provided in Section 3704.06 of the Ohio Revised Code. The determination to pursue or decline to pursue such penalties in this case will be made by Ohio EPA at a later date. This notice does not excuse any violations of federal, state and local laws or regulations regarding air pollution control. Failure to respond within the specified time frame can result in further enforcement action.

If you have any questions regarding this letter, please contact me at (330) 963-1261.

Sincerely,



Jana L. Gannon
Environmental Specialist
Division of Air Pollution Control

JLG:bo

cc: Bob Princic, Ohio EPA, DAPC, NEDO
Tom Kalman, Ohio EPA, DAPC, CO
Lisa Hoischer, U.S. EPA, Region 5

ec: Dennis Bush, Ohio EPA, DAPC, NEDO
Ed Fasko, Ohio EPA, DAPC, NEDO