



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114-2080
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7001 2510 0006 1130 7929
RETURN RECEIPT REQUESTED**

January 16, 2007

Jim Szalkiewicz
Magnesium Aluminum Corporation
3425 Service Road
Cleveland, OH 44111

**FACILITY ID: 1318006404
SECOND NOTICE OF VIOLATION: FAILURE TO APPLY FOR A PERMIT TO OPERATE,
KEEP A WEEKLY VISIBLE EMISSIONS LOG, AND SUBMIT DEVIATION REPORTS**

Dear Mr. Szalkiewicz:

On March 23, 2006, the Cleveland Division of Air Quality (CDAQ) inspected Magnesium Aluminum Corporation (MagAlum) located at 3425 Service Road in Cleveland. On April 19, 2006, an initial NOV was sent to MagAlum as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

MagAlum failed to submit a permit-to-operate (PTO) application for P009: 1500 lbs/hr gas aluminium melting furnace. This is a violation of permit-to-install (PTI) 13-04367 Part I.A.13, Ohio Administrative Code (OAC) Rule 3745-35-02(A), Ohio Revised Code (ORC) Section 3704.05 (C), (F), and (G).

MagAlum also failed to perform weekly checks for visible emissions (VE) or fugitive dust. This is a violation of PTI 13-04367 Part II.C. and ORC Section 3704.05(C).

Additionally, MagAlum failed to submit semiannual and deviation reports which are violations of PTI 13-04367 Part II.D. and ORC Section 3704.05(C) and (D).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that MagAlum submit a PTO application for P009, a copy of the first month of weekly VE readings, and timely deviation reports to the following enforcement representative:

Kristoffer Gontkovsky
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.

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 Kristoffer Gontkovsky at (216)420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for MagAlum: 1318006404.

Sincerely,

George Baker
Chief of Enforcement, CDAQ

GB/kg



cc: Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318006404\2006-03-23 NOV (2ND).doc

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

00-6404

JIM SZALKIEWICZ
 MAGNESIUM ALUMINUM
 3425 SERVICE RD.
 CLEVELAND, OH 44111

2. Article Number

(Transfer from service label)

7001 2510 0006 1130 7929

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Card Today Agent
 Address

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes