



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
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Cleveland, Ohio 44114-1839
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**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 70022030000118077590
RETURN RECEIPT REQUESTED**

April 20, 2010

Mr. Gary Calhoun, Facilities Compliance Manager
Alcon Industries, Inc.
7990 Baker Avenue
Cleveland, Ohio 44102

**FACILITY ID: 13-18-00-7755
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Calhoun:

On April 22, 2009, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Alcon Industries, Inc. (Alcon) to adhere to their timeline contained in their December 8, 2008, corrective action plan for air pollution nuisance. CDAQ is in receipt of corrective action plan updates on April 6, 2009, September 29, 2009, and November 30, 2009, which stated Alcon was still evaluating the feasibility of pursuing an engineering control project utilizing the financial support options identified in Action Item No. 7. In a corrective action plan update received April 9, 2010, Alcon states that all action items have been evaluated.

The corrective action plan 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.

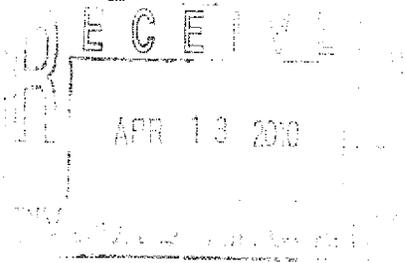
CDAQ issues this letter with Ohio EPA's concurrence and does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Linda Kimmy at 216-664-2985. All correspondence with CDAQ must include the Ohio EPA facility identification number for Alcon: 13-18-00-7755.

Sincerely,


George Baker
Chief of Enforcement, CDAQ

GB/lk

cc: Mr. Andrew V. White, VP, Alcon
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
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NEAR.doc



April 9, 2010

Ms. Linda Kimmy
Environmental Compliance Specialist
Ohio EPA - (Agency 13)
Cleveland Division of Air Quality
75 Erieview Plaza, 2nd Floor
Cleveland, Ohio 44114

ALCON INDUSTRIES, INC.
7990 BAKER AVENUE
CLEVELAND OH 44102

Also Via Email: LKimmy@city.cleveland.oh.us

**RE: Plan of Action Update – Nuisance Odors
Alcon Industries, Inc., 7990 Baker Avenue, Cleveland, Ohio 44102
Facility ID: 13-18-00-7755**

Dear Ms. Kimmy:

On behalf of Alcon Industries, Inc. (Alcon) I am pleased to provide you with this update on progress we have made since our last communication to your office dated November 25, 2009. Prompted by nuisance odor complaints from its neighbors, Alcon identified seven actions to be taken in order to further address nuisance odors associated with manufacturing operations

As communicated in our letter dated November 25, 2009, Alcon completed the remaining four action items in the list of seven action items originally proposed by Alcon to address the issues identified in your Notice of Violation (NOV) letter dated April 22, 2009. As identified in Alcon's November 25, 2009 letter, one of the two capital improvement projects evaluated was identified as the more viable option to address odor emissions at the facility. This option was identified as action item number 3 in the Corrective Action Plan and is described as follows:

Action Item 3: Emissions Engineering Controls for Sand Molds

Alcon considered possible air emissions control structures and technology to better control emissions from cooling sand molds and met with representatives of ATC Associates Inc. and Cantonese Applied Technologies, LLC (CAT) to discuss possible emission control options. CAT proposed construction of a room to house cooling sand molds where emissions could be collected and routed through a blower to a single stack.

Alcon reviewed equipment and costs for the addition of emissions control equipment to this design as well which resulted in the identification of the

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following control options.

- AER Control Systems (AER) Activated Carbon Unit.
- CAT Scrubber Unit.

Alcon estimated the cost of installation of the room, stack, and blower with the different emission control units as follows:

- CAT: Room, blower, stack and scrubber \$235,000
- AER: Room, blower, stack and carbon unit \$75,000

Alcon evaluated possible financial support options and identified those in our November 25, 2009 letter. These options were evaluated under action item number 7 in the Corrective Action Plan (i.e., Financial Assistance - Engineering Control Equipment & Installation) and an update on those options is provided as follows:

Action Item No. 7 – Financial Assistance for Engineering Controls

Alcon looked into various sources for financial assistance which included the following organizations:

- Ohio Air Quality Development Authority,
- Ohio Department of Development Ohio Energy Office,
- Clean Air Resource Center (CARC) of the Ohio Air Quality Development Authority (OAQDA), and
- City of Cleveland office of Economic Development.

The CARC provides support to small businesses that need support for emission control projects and key points for the CARC option are as follows:

1. Alcon submitted a grant application on October 8, 2009 and it identified the AER emissions control option (i.e., room, blower, stack and carbon).
2. CARC mentioned that Alcon was eligible as a small business to receive a grant to cover the closing costs on a loan if a loan is selected. If financing is selected the following are available:
 - Alcon would select their lender of choice and an application would be run through the CARC.
 - The CARC provides tax breaks on the initial purchase of products and equipment to be installed for the project.
 - Additional tax breaks are also provided on the products and equipment financed over the life of the loan.

The City of Cleveland office of Economic Development support options were



explored and can be summarized as follows:

1. There are two programs offered, the "One Retention Program" targets job retention and another program targets business expansion and job creation.
 - The One Retention Program was established to help businesses who could not get financing for buying inventory and equipment. The program provides low interest (currently at 2.84%) loans up to \$200,000 and could be used for the air emissions control project. The program also provides deferred payments for the first three months of the loan term.
 - The City of Cleveland has applied to the Federal Government for \$2.4 million dollars to rejuvenate this fund for 2010 and the City is still waiting for a determination on their application. The City expects to hear by the end of April 2010 on whether they will receive any more funding for this program.

Although Alcon has identified the above support and incentive options provided by the CARC and the City of Cleveland, Alcon would have to finance the majority of the project cost (over 96%) over the term of the loan.

Alcon's financial status has not changed since our letter of November 25, 2009 and Alcon continues to be under considerable financial constraint. Alcon was significantly impacted by the global economic recession resulting in significant impacts to the steel manufacturing market sector. Although the above incentives would be helpful, the ability of Alcon to pursue any of the above options is tied to significant improvement in Alcon's financial condition.

Please do not hesitate to contact me with any questions you may have about this response.

Sincerely,
Alcon Industries, Inc.



Gary Calhoun
Facilities / Compliance Manager

cc: Scott McCready, ATC Associates Inc.