



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
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**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7002 2030 0001 1808 9975
RETURN RECEIPT REQUESTED**

June 15, 2010

Mr. Richard King
Alcoa – Cleveland Works
1600 Harvard Avenue
Cuyahoga Heights, Ohio 44105-3092

HIGH PRIORITY FACILITY

FACILITY ID: 13-18-17-0314

**NOTICE OF VIOLATION (NOV) and NOV FOLLOW-UP LETTER:
Failure to certify compliance with Ohio Administrative Code (OAC)
Rule 3745-110-04**

Dear Mr. King:

This letter serves as notification that Alcoa-Cleveland Works (Alcoa) located at 1600 Harvard Avenue in Cuyahoga Heights is operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Alcoa has failed to certify Reasonably Achievable Compliance Technology (RACT) for Nitrogen Oxide (NO_x) compliance as required in the Ohio Administrative Code (OAC) Rule 3745-110-04 (A)(1) since April 22, 2008.

CDAQ is in receipt of a corrective action plan via e-mail on 6/10/10 that includes a timeline for stack testing B008/B009 as well as information on Alcoa's lower NO_x burners.

The corrective action plan was received in a timely manner 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.

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 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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for Alcoa: 13-18-17-0314.

Sincerely,

Linda Jimmy for G.B.
George Baker
Chief of Enforcement

GB/dd

cc:

Michael J. Krzywicki, CDAQ
Alan Harness, Ohio EPA Central Office
Jim Orlemann, Ohio EPA Central Office
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
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