



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Easview Plaza, Suite 200
Cleveland, Ohio 44114-1859
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 70022030000118077668
RETURN RECEIPT REQUESTED

September 9, 2010

Mr. Jacob Lubbe
Charter Steel
4300 East 49th Street
Cuyahoga Heights, Ohio 44125

HIGH PRIORITY FACILITY

FACILITY ID: 13-18-17-1623

NOTICE OF VIOLATION: Failure to certify compliance as required by Ohio
Administrative Code (OAC) Rule 3745-110-04

Dear Mr. Lubbe:

This letter serves as notification that Charter Steel located at 4300 East 49th Street in Cuyahoga Heights is operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Cleveland Division of Air Quality (CDAQ) and Ohio EPA has determined Charter Steel has failed to certify in writing to the director that such source is in compliance with the Nitrogen Oxides Reasonably Available Technology (NOx-RACT) requirements of OAC Rule 3745-110-03 as required by OAC Rule 3745-110-04 (A)(1) since April 22, 2008, the date which the certification was to have been submitted.

Unless you undertake some type of corrective action with respect to the above noted violation, you will remain in non-compliance. CDAQ requests that Charter Steel submit a compliance plan that includes a timeline for annual burner tune ups for Emission Unit (EU) B008: 25 mmBtu/hr natural gas boiler for the VOD system equipped with a low NOx burner and for completing and submitting a NOx-RACT study for EU P029: 165 mmBtu/hr natural gas fired Bar Mill reheat furnace to equalize billet temperature prior to rolling; and EU P900: 110 TPH capacity Electric Arc Furnace (EAF) with direct evacuation control (DEC) for capture, and a baghouse for control of emissions.

In addition, CDAQ requests Charter Steel provide a listing of any other NOx emitting units and note whether or not each unit is subject to NOx-RACT requirements.



Please submit the above information within thirty (30) days to the following enforcement representatives:

Linda Kimmy
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

Alan Harness
Ohio EPA, DAPC
Lazarus Government Center
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

Your written response to this letter must be received within thirty (30) 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.

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 Linda Kimmy at 216-664-2985. All correspondence with CDAQ must include the Ohio EPA facility identification number for Charter Steel: 13-18-17-1623.

Sincerely,

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

GB/lk

cc: Tammy Bukach, Charter Steel
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Alan Harness, Ohio EPA, DAPC
Jim Oriemann, Ohio EPA, DAPC
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318171623\2010-09-08 NOx-RACT NOV.doc

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ 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. 	A. Signature <u>M. Hejduk</u> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: CHARTER STEEL 4300 EAST 49th Street Cuyahoga Heights, OH 44125	B. Received by (Printed Name) <u>M. Hejduk</u>	C. Date of Delivery <u>9/13/10</u>
2. Article Number <i>(transfer from service label)</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7002 2030 0001 1807 7668		

PS Form 3811, February 2004

Domestic Return Receipt

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