



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
Cleveland, Ohio 44114-1839
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

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

**CERTIFIED MAIL 7003 1010 0004 2923 4123
RETURN RECEIPT REQUESTED**

11/30/10

Joseph A. Higdon
BCS Metal Prep, LLC
c/o BCS Industries, LLC
P. O. Box 13191
Memphis, TN 38113-0191

NON-HPV

FACILITY ID: 13-18-53-2615

NOTICE OF VIOLATION : Failure to submit quarterly deviation reports, failure to maintain scrubber operating parameters records, failure to install scrubber monitoring equipment

Dear Mr. Hidgon:

On 10/29/10, the Cleveland Division of Air Quality (CDAQ) inspected BCS Metal Prep, LLC (BCS Metal Prep) located in Solon, Ohio. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

BCS Metal Prep's operation of EUs P004 and P005: pickling lines for steel wire, controlled with 60,000 and 75,000 ACFM scrubbers respectively are in violation of their 3/14/08 permits-to-operate (PTO), Part I.3.b and Ohio Revised Code (ORC) Section 3704.05(C) and (D) for failing to submit quarterly deviation reports. CDAQ has not received any quarterly deviation reports since 4/30/08. BCS Metal Prep does not have equipment to continuously monitor the pH of the scrubber liquor. This is in violation of the 3/14/08 PTO, Part II, C, 1. BCS Metal Prep did not install equipment to continuously monitor the static pressure drop across the scrubber and the scrubber water flow rate. This is in violation of the 3/14/08 PTO, Part II, C, 2.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that BCS Metal Prep submit the quarterly deviation report for the third quarter of 2010 and a corrective action plan about the coming into compliance with the 3/14/08 PTOs' operational and monitoring requirements to the following enforcement representative:



David Wagner
Cleveland Division of Air Quality
75 Erieview Plz., 2nd Fl.
Cleveland, OH 44114-1839

Your deviation report and corrective action plan must be received by CDAQ within 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 ORC Section 3704.99(A), which allows fines of not more than \$25,000 or imprisonment for not more than one year, or both, for each violation.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or 614/644-3469 or 800/329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP.

OCAPP can also provide assistance to facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production. Again, there is no charge for their services.

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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ must include the Ohio EPA facility identification number for BCS Metal Prep: 13-18-53-2615.

Sincerely,

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

GB/dlw

cc: Brad Andrews, BCS Metal Prep
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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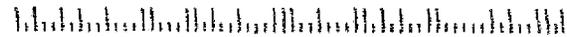
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ATTN: T. L. W.

CLEVELAND

75 ERIEVIEW TOWER FL 2

CLEVELAND OH 44114-1821



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- 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.
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1. Article Addressed to: 53005 N W

10174 46000
BOC IN 15723
PO BOX 1111
MEMPHIS TN 3813

2. Article Numbr 7003 1010 0004 2923 4123
(Transfer from 201100-1000)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Carter Addressee

B. Received by (Printed Name) Carter C. Date of Delivery 12-9-10

D. Is delivery address different from item 1? Yes
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3. Service Type
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