



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue Plaza, Second Floor
Cleveland, Ohio 44114-1839
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www.clevelandhealth.org

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

**CERTIFIED MAIL 7011 3500 0000 1759 7020
RETURN RECEIPT REQUESTED**

October 1, 2012

Frank Cesare
Manufacturing Manager
Ferro Corporation – Cleveland Frit Plant
P.O. Box 6550
Cleveland, Ohio 44101-1550

**HIGH PRIORITY VIOLATOR – GENERAL HPV CRITERION 8 AND MATRIX
CRITERION 1
EMISSIONS VIOLATION**

FACILITY ID: 13-18-17-0235

NOTICE OF VIOLATION: Emissions violation for Emission Unit (EU) P912, and failure to submit a 2nd Quarter 2012 Deviation Report, and 1st half 2012 Semi-Annual Deviation Report.

Dear Mr. Cesare:

On August 21, 2012, & September 11, 2012, the Cleveland Division of Air Quality (CDAQ) inspected Ferro Corporation – Cleveland Frit Plant (Ferro) located at 4150 East 56th Street in Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

CDAQ has discovered that Ferro has been operating EU P912: Smelter #10 in excess of their Title V Permit, and Permit-to-Install (PTI) particulate emissions pounds/hour (lbs/hr) limit of 1.14 lb/hr. This is in violation of Title V Permit #P0095298, PTI # 13--04177, Ohio Administrative Code (OAC) Rule 3745-31-05(A)(3), and Ohio Revised Code (ORC) Section 3704.05(C). Ferro has been in violation since July 27, 2007, when a stack test was performed and showed that the particulate emissions for EU P912 are 1.49 lbs/hr.

Ferro failed to submit a 2nd Quarter 2012 deviation report and a 1st half 2012 semi-annual deviation report that were due on July 31, 2012. This is in violation of Title V Permit #P0095298, OAC Rule 3745-77-07(A)(3)(c)(ii) and ORC Section 3704.05(C). The completed reports were submitted on September 18, 2012.



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Ferro submit a corrective action plan stating how you will bring the source into compliance with your permits emission limitation and how you will assure timely submittal of required deviation reports.

Submit the corrective action plan to the following enforcement representative within fourteen (14) days of your receipt of this letter:

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

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.

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 (\$25,000) 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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Ferro Corporation – Cleveland Frit Plant: 13-18-17-0235.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/BS UK

cc: Alan Hartke, Ferro Corporation
Patrick Huth, Ferro Corporation
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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