



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
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 7012 2210 0000 5209 2481
RETURN RECEIPT REQUESTED**

February 7, 2013

Stan Rihtar
Environmental Manager
ArcelorMittal Cleveland Inc.
3060 Eggers Avenue
Cleveland, Ohio 44105

John Savage
Precision Environmental Company
5722 Schaaf Road
Independence, Ohio 44131

Michael Glenn
CMM, Inc.
546 Meadowridge Way
Hudson, Ohio 44236

**RE: 3060 Eggers Avenue
PROJECT ID: 12 249
NOTICE OF VIOLATION : National Emission Standard for Hazardous Air Pollutants
(NESHAP) Asbestos Violations**

Dear Mr. Rihtar:

This letter serves as notification that you are in violation of the following applicable air statutes, air regulations, or air permit conditions.

The Cleveland Division of Air Quality (CDAQ) has recently been informed that a load of approximately 100 square feet of non-friable Category II asbestos transite ceiling tile had been placed into a Republic Services' solid waste roll-off during the renovation of an ArcelorMittal Cleveland, Inc. (ArcelorMittal) railroad office. The asbestos-containing material was deposited at Lorain II Landfill sometime in late August or early September 2012.

Asbestos removal projects are subject to compliance with the Asbestos NESHAP, Title 40 Code of Federal Regulations (CFR) Part 61 Subpart M, the Ohio Administrative Code (OAC) Rule 3745-20, and the Ohio Revised Code Chapter 3704.05(G).

CDAQ has determined that ArcelorMittal is in violation of 40 CFR Part 61 Subpart M and OAC Rule 3745-20-03(D)(4), for failing to submit an amended (revised) notification and informing Ohio EPA of the change in the selected waste disposal site. The waste disposal



facility identified on ArcelorMittal's blanket notification for 2012, is American Landfill located at 7916 Chapel Street, in Waynesburg, Ohio. A copy of the 2012 notification submitted by ArcelorMittal is enclosed for your review.

Additionally, ArcelorMittal is in violation of 40 CFR Part 61.150(b)(1) and OAC Rule 3745-20-05(A), in that all asbestos-containing waste material was not deposited at a waste disposal site operated in accordance with the provisions of 40 CFR Part 61.154.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that ArcelorMittal Cleveland submit corrective action plan in response to the above-mentioned violations, to the following enforcement representative:

Valerie Shaffer
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.

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 Valerie Shaffer at (216) 287-2713. All correspondence with CDAQ must include the Ohio EPA project identification number for ArcelorMittal Cleveland: CL 12 249.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/vls

cc: Bob Princic, DAPC, NEDO
Clarissa Gereby, DMWM, NEDO
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
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encl: ArcelorMittal's Ohio EPA Notification of Demolition and Renovation for 2012

**OHIO ENVIRONMENTAL PROTECTION AGENCY
NOTIFICATION OF DEMOLITION AND RENOVATION**

Operator Project # C	Postmark 12.5	Date Received 12.6	Notification # 12-11-1				
I. Type of Notification (check one): <input checked="" type="checkbox"/> Original <input type="checkbox"/> Revised <input type="checkbox"/> Canceled <input type="checkbox"/> Blanked							
II. Facility Description (include building name, and floor or room number)							
Building Name: <u>ArcelorMittal Cleveland Inc.</u>							
Address: <u>3060 Eggers Avenue</u>							
City: <u>Cleveland</u>		State: <u>OH</u>	Zip Code: <u>44105</u> County: <u>Cuyahoga</u>				
Site Location (specific): <u>Various</u>							
Building Size (Square feet): <u>1,000,000 +/-</u>		# of floors: <u>5 +/-</u>	Age in years <u>78 +/-</u>				
Present Use: <u>Steel Production</u>		Prior use: <u>Steel Production</u>					
III. Type of Operation (check one): Demo <input type="checkbox"/> Ordered Demo <input type="checkbox"/> Renovation <input checked="" type="checkbox"/> Emergency Renovation <input type="checkbox"/> Fire Training							
IV. Is Asbestos Present? (check one) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
V. Facility Information							
Owner Name: <u>ArcelorMittal Cleveland Inc.</u>							
Address: <u>3060 Eggers Avenue</u>							
City: <u>Cleveland</u>		State: <u>OH</u>	Zip: <u>44105</u>				
Contact: <u>Stan Rihtar</u>	Telephone: <u>216-429-6396</u>	Fax: <u>216-429-6631</u>					
Removal Contractor Name: <u>Precision Environmental Company</u>			License # <u>1154</u>				
Address: <u>5722 Schaaf Road</u>							
City: <u>Independence</u>		State: <u>Ohio</u>	Zip: <u>44131</u>				
Contact: <u>John Savage</u>	Telephone: <u>(216) 642-6040</u>	Fax: <u>(216) 642-6041</u>					
Other Operator (demolition/general): <u>CMM, Inc</u>			License # <u>N/A</u>				
Address <u>546 Meadowridge Way</u>							
City: <u>Hudson</u>		State: <u>OH</u>	Zip: <u>44236</u>				
Contact: <u>Michael Glenn</u>	Telephone: <u>216-409-8544</u>	Fax: <u>216-429-7405</u>					
VI. Procedure, including analytical methods, employed to detect the presence of and to estimate the quantity of RACM and Category I and Category II nonfriable ACM:							
Bulk sample analyzed by polarized light and dispersion staining.							
Ohio Asbestos Hazard Evaluation Specialist		<u>Michael Glenn</u>	<u>32432</u>				
		Name	Certification #				
VII. Approximate Amount of Asbestos Materials:							
	RACM to be Removed	Nonfriable Asbestos Material to be Removed		Nonfriable Asbestos Material NOT to be Removed			
		Category I	Category II	Category I	Category II		
Pipes (linear feet)	2500						
Surface Area(square feet)	5000	20000	5000				
Facility Components (cubic feet)							
VIII. Scheduled Dates Demolition or Renovation		Start: <u>01-01-12</u>	Complete: <u>12-31-12</u>				
IX. Dates for Asbestos Removal (MM/DD/YY):		Start: <u>01-01-12</u>	Complete: <u>12-31-12</u>				
Days of the Week:	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of Operation:	<u>7a-3:30p</u>	X	X	X	X		
Complete all unshaded spaces, except demolitions which involve less than 260 linear feet, 160 square feet, or 35 cubic feet of RACM, need not complete spaces VII, XI, XII, XIII, XIV, and XV. Notifications for Emergency Demolition or Emergency Renovation must supply attachments.							

