

SOUTHWEST OHIO
AIR QUALITY AGENCY

NON-HPV

1/30/2013

Certified Mail

John Howard
Tube City IMS
3024 Oxford State Road
Middletown, OH 45044

Re: NOTICE OF VIOLATION - Excess fugitive dust opacity from the Blast Furnace Slag Dumping Pit
Facility ID: 1409010908, Tube City IMS.
EU ID: F005
Location: 3024 Oxford State Road, Middletown, OH 45044, Butler County

Dear Mr. Howard:

During a compliance inspection on January 29, 2013 an inspector from the Southwest Ohio Air Quality Agency performed a Method 9 Visible Emissions Observation at the Blast Furnace Slag Dumping Pit operated by Tube City IMS. The inspector determined that the maximum three minute average opacity of the fugitive dust at that time was 28.8%.

Permit-to-Install and Operate (PTIO) P0105140 issued on 10/8/10 for this emissions unit allows a maximum opacity of fugitive dust of twenty percent as a three-minute average. Exceeding the opacity limit is a violation of OAC rule 3745-17-07(B) and the terms and conditions of P0105140. Failure to comply with the opacity limit of PTIO P0105140 is a violation of section 3704.05(C) of the Ohio Revised Code.

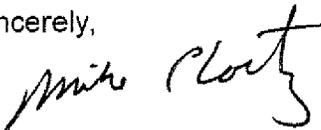
Please submit a plan of corrective action detailing what actions your facility will implement at the Blast Furnace Slag Dumping Pit so that visible particulate emissions there will comply with the opacity limitation of (PTIO) P0105140. Please submit the compliance plan to this agency by March 1, 2013.

The violations identified above also constitute a violation of City of Middletown Health Department rules. The City of Middletown Health Department air pollution rules are enforced by the Southwest Ohio Air Quality Agency.

Please note that the Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). Acceptance of a compliance plan does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by the Ohio EPA at a later date.

If you have any questions, please contact me at (513) 946-7752 or e-mail mike.ploetz@hamilton-co.org.

Sincerely,



Mike Ploetz
Southwest Ohio Air Quality Agency

cc: Bruce Weinburg, Central Office, Ohio EPA
Brian Dickens, Region 5 U.S. EPA

