



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

JUN 07 2005

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Paul Crookall, Production Manager
Remelt Services Inc.
6560 Juniata Avenue
Cleveland, Ohio 44103-1614

Re: Finding of Violation
Remelt Services Inc.
Cleveland, Ohio

Dear Mr. Crookall:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Finding of Violation (FOV) to Remelt Services (you). We find that you violated Section 112 of the Clean Air Act, 42 U.S.C. § 7412, at your Cleveland, Ohio facility.

We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the FOV.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The U.S. EPA contact in this matter is Charmagne Villasin. You may call her at (312) 886-0448 to request a conference. You

should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely,

Mary P. Tyson

for Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc: George Baker, CLAA

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:)
)
Remelt Services Inc.) **FINDING OF VIOLATION**
Cleveland, Ohio)
) **EPA-5-05-OH-15**
)
Proceedings Pursuant to)
the Clean Air Act,)
42 U.S.C. §§ 7401 et seq.)

FINDING OF VIOLATION

The United States Environmental Protection Agency finds that Remelt Services Inc. (RSI) is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, RSI is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for secondary aluminum processing at 40 C.F.R. part 63, subpart RRR as follows:

Regulatory Authority

1. The NESHAP for Secondary Aluminum Production, at 40 C.F.R. Subpart RRR, applies the owner or operator of each secondary aluminum production facility as defined at 40 C.F.R. § 63.1503.
2. The NESHAP at 40 C.F.R. § 63.1500(c) states that the Subpart RRR requirements pertaining to dioxin and furan emissions and associated operating, monitoring, reporting and recordkeeping requirements apply to certain affected sources located at a secondary aluminum production facility that is an area source of Hazardous Air Pollutants (HAP). Among the affected sources covered by the dioxin/furan Subpart RRR requirements are "secondary aluminum processing units" containing one or more "group 1 furnace" "emission units" processing other than "clean charge." These terms are defined further at 40 C.F.R. § 63.1503.
3. The NESHAP, at 40 C.F.R. § 1501(a), states that the owner or operator of an existing affected source must comply with the requirements of Subpart RRR by March 24, 2003.
4. The NESHAP, at 40 C.F.R. § 1505(i)(3), states that the owner

or operator of group 1 furnace subject to the Subpart RRR dioxin/furan emission standard must meet a limit of 15 microgram of dioxin/furan toxic equivalent (TEQ) per megagram (μg dioxin/furan TEQ/Mg) (2.1×10^{-4} gr of dioxin/furan TEQ per ton) of feed/charge.

5. The NESHAP, at 40 C.F.R. § 63.1511(b), requires the owner or operator of HAP area source to conduct performance testing of certain affected sources and emission units to demonstrate compliance with the dioxin/furan emission standard of the NESHAP. Among the affected sources and emission units covered by this requirement are "group 1 furnaces." The results of such performance tests must be reported in the notification of compliance status report as described in 40 C.F.R. § 63.1515(b).
6. The NESHAP, at 40 C.F.R. § 63.1515(b), requires the owner or operator of an existing affected source to submit a notification of compliance status report within 60 days after March 24, 2003.
7. The NESHAP, at 40 C.F.R. § 63.1510(b), requires the owner or operator of an affected source or emission unit to prepare and implement an Operation, Maintenance, and Monitoring (OM&M) Plan.
8. The NESHAP, at 40 C.F.R. § 63.1510(g), requires the owner or operator of an affected source using an afterburner to comply with the requirements of Subpart RRR to install, calibrate, maintain, and operate a device to continuously monitor and record operating temperature of the afterburner.

RSI's Facility

9. RSI owns and operates an aluminum processing facility at 6560 Juniata Avenue, Cleveland, Ohio ("Facility").
10. RSI's Facility has a "secondary aluminum production facility" as defined in 40 C.F.R. § 63.1503.
11. The Facility's secondary aluminum production facility is an area source for HAP as defined in 40 C.F.R. § 63.2.
12. The Facility's secondary aluminum production facility operates a reverberatory aluminum melting furnace used in the processing of cast aluminum car wheels (Ohio EPA permit no. 13-03671, August 15, 2000) ("Furnace").

- 13. The Furnace is a "Group 1 furnace" "emission unit" processing other than "clean charge" as defined in 40 C.F.R. § 63.1503.
- 14. The Furnace is an "affected source" subject to the NESHAP Subpart RRR requirements pertaining to dioxin and furan emissions and associated operating, monitoring, reporting and recordkeeping requirements.

Violations

- 15. On May 24, 2003, RSI was required to submit a notification of compliance status. RSI failed to submit said notification in violation of 40 C.F.R. § 63.1515(b).
- 16. By March 24, 2003, RSI was required to perform an initial performance test to demonstrate compliance with the dioxin/furan emission standard under 40 C.F.R. § 63.1505(i)(3) for its furnace. RSI has failed to conduct such test in violation of 40 C.F.R. § 63.1511(b).
- 17. By March 24, 2003, RSI was required to develop and implement an approved written Operation, Maintenance & Monitoring (OM&M) Plan. RSI submitted their OM&M plan in September 2004, more than 17 months late, which is in violation of 40 C.F.R. § 63.1510(b).
- 18. By March 24, 2003, RSI was required to install, calibrate, maintain, and operate a device to continuously monitor and record operating temperature of the Furnace's afterburner. RSI installed a monitoring system for the furnace afterburner in August/September 2004, more than 16 months late, which is in violation of 40 C.F.R. § 63.1510(g).

6/7/05
Date

for Mary P. Tyson
Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING

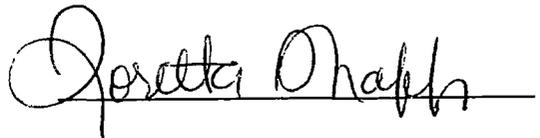
I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-05-OH-15, by Certified Mail, Return Receipt Requested, to:

Paul Crookall, Production Manager
Remelt Services Incorporated
6560 Juniata Avenue
Cleveland, Ohio 44103-1614

I also certify that I sent copies of the Finding of Violation by first class mail to:

George Baker, Chief of Enforcement
Cleveland Division of Air Quality
Department of Public Health
Division of Air Quality
1925 St. Clair
Cleveland, OH 44114-2080

on the 8th day of June, 2005.



Loretta Shaffer,
Secretary
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 700103300005 9025 6763