



ENFORCEMENT ORDER

Allegheny County Health Department

Air Quality Program

301 39th Street, Bldg. # 7, Pittsburgh, PA 15201

Phone: (412) 578-8103

Address of Alleged Violation			
1300 Braddock Avenue, Braddock, PA 15104			
Name of Alleged Violator			
Magnus Products, LLC			
Address of Alleged Violator			
734 E. Schantz Avenue, Oakwood, OH 45419			
Contact Person	Title	Phone Number	Email
Richard Morris	President/CEO	219-808-2890	rmorris@magnus-products.com

PART 1: DESCRIPTION OF INSPECTION(S)

On January 28, 2022, the Allegheny County Health Department – Air Quality Program (ACHD-AQP) sent a certified letter to Magnus Products, LLC informing the company of the §2106.06, Mon Valley Air Pollution Episode regulation and assigning a deadline of April 27, 2022, for Magnus Products, LLS submittal of its mitigation plan. On May 17, 2022, an ACHD-AQP representative spoke with Richard Morris to inquire the status of the mitigation plan since it had not been received by the April 27, 2022 deadline. Mr. Morris apologized for the delinquency and stated Magnus Products, LLC would submit the mitigation plan shortly. As of June 6, 2022, ACHD-AQP has not received a copy of Magnus Products, LLC mitigation plan.

Did the individual/company cooperate with ACHD personnel? If not, explain:	Yes
Inspection Date(s)	Inspector Name(s)
5/17/2022	Nicholas Caito

PART 2: YOU ARE IN VIOLATION OF THE FOLLOWING REGULATION(S):

1	Regulation Section	Regulation Requirement
	§2106.06	Submittal of Mon Valley Air Pollution Episode plan by April 27, 2022.
	Description of Violation	
	Magnus Products, LLC failed to submit a mitigation plan per §2106.06 by the April 27, 2022 deadline.	
	What You Must Do to Correct the Violation	
	Magnus Products shall submit a mitigation plan to ACHD-AQP.	
2	Regulation Section	Regulation Requirement
	Description of Violation	
	What You Must Do to Correct the Violation	
3	Regulation Section	Regulation Requirement
	Description of Violation	

	What You Must Do to Correct the Violation	
4	Regulation Section	Regulation Requirement
	Description of Violation	
	What You Must Do to Correct the Violation	

PART 3: YOU ARE HEREBY ORDERED AS FOLLOWS:

- Immediately stop all work and/or cease operations at the following location(s):**

- You are hereby Ordered to correct the violations(s) listed in Part 2 within 14 days of the service of this Enforcement Order.**
- You are hereby Ordered to comply with the following requirements within _____ days of the service of this Enforcement Order:**

The Order(s) in this Part is enforceable upon issuance and any appeal shall not act as a stay. The Order(s) shall remain in effect until you are notified in writing by the Department. Please contact the ACHD Air Quality Program at (412) 578-8103 to arrange for a reinspection or to request that the Order(s) be rescinded.

Please be advised that failure to comply with this Order within the times specified herein is a violation of Article XXI giving rise to the remedies provided by Article XXI § 2109.02 including civil penalties of up to \$25,000 per violation per day.

PART 4: CIVIL PENALTY

For the violations listed in Part 2, you are hereby assessed a civil penalty of \$_____. The determination of the civil penalty is attached as **Exhibit No. 1** and is incorporated as part of this Enforcement Order.

Please be aware that if the Department did not assess a civil penalty, the Department may issue a subsequent enforcement order in which a civil penalty is assessed.

You shall pay the civil penalty amount within thirty (30) days of receipt of this Order. Payment shall be made by corporate or certified check, or the like, made payable to the "Allegheny County Clean Air Fund", and sent to Air Quality Program Manager, Allegheny County Health Department, 301 39th Street, Bldg. #7, Pittsburgh, PA 15201.

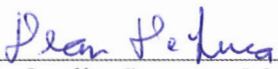
PART 5: REQUEST FOR ADMINISTRATIVE HEARING

Pursuant to Article XI, § 1104.A (“Hearings and Appeals”), of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order, a Notice of Appeal shall be filed no later than thirty (30) days after receipt of written notice or issuance of this Order. Such a Notice of Appeal shall be filed in the Office of the Director at 542 Fourth Avenue, Pittsburgh, PA 15219.

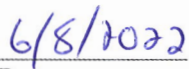
This Order is enforceable upon issuance and any appeal of this Order shall not act as a stay unless the Director of the ACHD so orders. In the absence of a timely appeal, the terms of this Order shall become final.

Please be aware that if you wish to appeal this Order and a civil penalty has been assessed under Part 4, you are required within 30 days of receipt of this Order to either forward the penalty amount to the ACHD for placement in an escrow account or post an appeal bond to the ACHD in the amount of the penalty. Please review the specific requirements for prepaying the penalty or posting the appeal bond found in Article XXI § 2109.06.a.2-3.

A copy of Article XXI and Article XI may be found at <https://www.alleghenycounty.us/Health-Department/Health-Department-Regulations.aspx>.



Air Quality Program Manager



Date