



NOTICE OF VIOLATION

Allegheny County Health Department

Air Quality Program

836 Fulton Street Pittsburgh, PA 15233

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 Richard Morris	Title President/CEO	Phone Number 219-808-2890	Email rmorris@magnusproducts.com

PART 1: DESCRIPTION OF INSPECTION(S)

On November 11, 2022, the Allegheny County Health Department (ACHD) issued a Title V Operating Permit # 0265-OP22 (0265-OP22) to Magnus Products LLC for material recovery and processing operations. During a document review and onsite Full Compliance Evaluation, ACHD determined Magnus Products LLC is in violation of the following:

1. Emissions Testing Exceedance: A stack test of Magnus Products LLC's Rotary Dryer (Baghouse Stack ID P005) was performed by Alliance Technical Group on November 21, 2023. 0265-OP22 defines the particulate matter emission limitation of the Rotary Dryer as 0.49 pounds per hour and the VOC emission limitation as 0.81 pounds per hour. On February 2, 2024, Magnus Product LLC submitted the final stack testing report along with a letter describing concerns with the emissions testing. On February 7, 2024, the report was resubmitted because the original report appeared to be missing pages. ACHD reviewed the resubmitted stack testing data report. The emission testing results indicated the Particulate Matter (PM) and Volatile Organic Compounds (VOCs) exceeded emissions limitations. Magnus Products LLC asserted the emission test was invalid. ACHD did not find any evidence or indicators that the test was invalid and has determined the test was valid and met the regulatory requirements of the methods. The particulate matter average emission rate was 2.1 lb/hr, which is 328.6% above the permit limit of 0.49 lb/hr. The VOC average emission rate was 7.6 lb/hr, which is 838.3% above the permit limit of 0.81 lb/hr. Per the Source Testing Manual, the test report was due 60 days after the last day of testing. The final testing report was untimely submitted 73 days after the last day of the test. On May 7 and 8, 2024, an emission retest was performed. Per the Source Testing Manual, the results of the retest are due within 60 days of the test. Magnus Products LLC has been operating without a passed stack test since November 21, 2023.
2. On January 26, 2024, an unreported breakdown occurred at approximately 10:30am. ACHD personnel were observing a stack test nearby and observed emissions coming from the vicinity of Magnus Products LLC's operations. ACHD relocated to Magnus Products LLC's operations to investigate the source of emissions. ACHD observed emissions coming out of the building, stack, and baghouse conveyor screw at Magnus Products LLC. A Magnus Products LLC employee stated he noticed the emissions as well and was getting ready to investigate. The Magnus Products LLC employee called Rob Watt, another Magnus Products LLC employee, to alert him of the issue. The onsite employee shut down the equipment. As ACHD investigated further, they noted a hole in the baghouse shell. Emissions ceased once the equipment was shut down. Mr. Watt arrived at the site, and ACHD notified him to not run the kiln dryer/baghouse until repairs were made to the baghouse shell, and the root cause of emissions from the building and stack were identified. Additionally, ACHD personnel were to be present for restart of the equipment. Via email, ACHD requested the last 3 months

(November and December 2023, and January 2024) of baghouse differential pressure readings, baghouse inspections, Method 22 readings on transfer points, and transfer point inspection records, as well as findings from baghouse inspections. On January 27, 2024, Magnus Products LLC responded that they had a bag rip away in the baghouse and believed it was the source of the emissions. On April 4, 2024, ACHD received baghouse inspection records and are still awaiting the other requested data. No initial or follow-up breakdown report was ever submitted to ACHD documenting the breakdown of the baghouse.

3. Semiannual reports were not submitted in the required time frame for the below reporting periods:

<u>Reporting Period</u>	<u>Date Due</u>	<u>Date Received</u>
February 1, 2022 - March 31, 2022	April 30, 2022	October 31, 2023
April 1, 2022 - September 30, 2022	October 31, 2022	October 31, 2023
October 1, 2022 - March 31, 2023	April 30, 2023	October 31, 2023

4. Title V Annual Certificates of Compliance (TVACCS) were not submitted in the required time frame for the below reporting periods:

<u>Reporting Period</u>	<u>Date Due</u>	<u>Date Received</u>
February 1, 2022 - March 31, 2022	May 31, 2022	October 26, 2023
April 1, 2022 - March 31, 2023	May 31, 2023	October 26, 2023

Did the individual/company cooperate with ACHD personnel? If not, explain:

Yes

Inspection Date(s)
04/10/2024

Inspector Name(s)
Nicholas Caito

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

	Regulation Section	Regulation Requirement
1	Article XXI §2103.12.a.2.D, Installation Permit No. 93-I-0039-P, SIP IP 0265-I001, ACHD 0265-OP22 §V.E.1.h.	Emissions from the rotary kiln shall not exceed 0.49 lb/hr for PM and 0.81 lb/hr for VOCs.
	Description of Violation Failure to operate below emissions limits.	
2	Article XXI §2108.01.c Breakdowns # 0265-OP22 Condition IV.8	In the event that any air pollution control equipment, process equipment, breaks down in such manner as to have a substantial likelihood of causing the emission of air contaminants in violation of this Article, or of causing the emission into the open air, the person responsible for such equipment shall immediately, but in no event later than 60 minutes after the commencement of the breakdown, notify the Department of such breakdown and shall, as expeditiously as possible but in no event later than seven (7) days after the original notification, provide written notice to the Department.
	Description of Violation Failure to timely report a breakdown and submit a follow up breakdown report.	

3	Regulation Section Article XXI §2103.12.k # 0265-OP22 Condition III.15	Regulation Requirement Submittal of reports of any required monitoring defined in ACHD operating permit # 0265-OP22 at least every 6 months.
	Description of Violation Failure to submit three semi-annual reports in the required time frame.	
4	Regulation Section Article XXI §2103.12.h.5 # 0265-OP22 Condition III.12.	Regulation Requirement All certification of compliance forms must be submitted to the Administrator as well as the Department by May 31st of each year for the time period beginning April 1st of the previous year and ending March 31st of the current year.
	Description of Violation Failure to submit two TVACCs in the required time frame.	

This Notice of Violation is neither an order nor any other final action of the Allegheny County Health Department. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action. Please be aware that any violation of the Article XXI regulations subjects a person to a variety of enforcement actions, including a civil penalty of up to \$25,000 per violation per day. A copy of Article XXI may be found at <https://www.alleghenycounty.us/Health-Department/Health-Department-Regulations.aspx>.

PART 3: 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 Notice of Violation, 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.

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

5/24/2024
 Date