

August 29, 2019

**NOTICE OF VIOLATION**

**CERTIFIED MAIL NO. 91 7199 9991 7038 4332 2246**

Mr. Edward Nesselbeck  
Erie Coke Corporation  
P.O. Box 6180  
Erie, PA 16512

Re: Erie Coke Corporation  
City of Erie, Erie County  
Expired Title V Operating Permit No: 25-00029

Dear Mr. Nesselbeck:

On August 14, 2019, the Department of Environmental Protection (“Department”) conducted an inspection at Erie Coke Corporation. The following violations were observed:

- (a) During coke pushing of oven 14, visible fugitive air contaminants of greater than 20% opacity were observed escaping from the Coke Side Shed in violation of 25 Pa. Code § 129.15(c), and Expired Title V Operating Permit, Section D, Source 802, Condition #001(c).
- (b) In accordance with the Expired Title V Operating Permit, Section D, Source 808, all coke loading into trucks shall be controlled by a Foam Generator Dust Suppressor as necessary, to achieve compliance with 25 Pa. Code § 123.1. Erie Coke Corporation loaded coke into trucks without the possible use of the Foam Generator Dust Suppressor, in violation of the Expired Title V Operating Permit, Section D, Source 808, Condition #003(b), and 25 Pa. Code § 127.444.

Any violation of the Air Pollution Control Act subjects a person to enforcement actions, including civil and criminal penalties. Each day the violation continues constitutes a separate offense.

This Notice of Violation is neither an order nor any other final action of the 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.

If you have any questions concerning this matter, please contact me at 814-332-6977.

Sincerely,

A handwritten signature in black ink that reads "Edward J. Painter". The signature is written in a cursive style with a large, looped "P" and a distinct "E".

Edward J. Painter  
Air Quality District Supervisor  
Air Quality Program

cc: C. Ballard, OCC  
AQ/Fac/Case/25-000-00029 through L. McNabb  
[ra-epaircompliance@pa.gov](mailto:ra-epaircompliance@pa.gov)  
E. Nesselbeck Erie Coke Corp. (via email)