





**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Auglaize County
Hoge Lumber Company
PTIO P0107133 (03 06 00 0120)
Notice of Violation (non-HPV)

February 27, 2012

CERTIFIED MAIL

Mr. John Hoge
Hoge Lumber Company
701 South Main Street
New Knoxville, Ohio 45871

Dear Mr. Hoge:

Permit to Install and/or Operate (PTIO) P0107133 issued May 6, 2011, contains reporting requirements for the wood-fired boiler (emissions unit B004) for the Continuous Opacity Monitoring System (COMS) and for the electro-static precipitator (ESP). These requirements are in Sections e)(2) and e)(3), respectively, in the permit for that emissions unit. For the fourth quarter 2011, the company has submitted (as it has for some years now) the COMS report; to date, no report for the operation of the ESP for the fourth quarter has been submitted - it was due January 31.

As you will recall, recordkeeping and reporting requirements for the ESP, as set forth in the federal Consent Order from back in 1997, were the subject of extensive phone and email communications between the company and the agency, over a period of several months about a year ago. The company explained that it was in fact keeping the necessary ESP records, and had not bothered to submit any reports for deviations, as there had in fact been no deviations to report. The Consent Order requirements were reviewed, and the agency concurred that it seemed unclear whether a report would be required, for reporting periods with no exceedances. However, the agency had emphasized to the company that explicit clarity on this item, i.e. that a report would be required quarterly even in cases where 'no exceedances' would be what is reported, would be included in the company's new PTIO.

In brief phone discussions from earlier quarters of 2011, when asked why these quarterly reports (under the new PTIO) continue to be for the COMS only and contain no mention of the ESP, the company stated that, since the COMS report showed no boiler operation for those quarters, a report of 'no deviation' for ESP operation logically followed. The agency has accepted this position as well.

Mr. John Hoge
February 27, 2012
Page 2

However, the fourth quarter report does show operation for the boiler (and associated COMS reporting) but, yet again, contains no mention of the ESP. Failure to submit the ESP report is a violation of the PTIO and of ORC 3704.05.

The company is required to correct the violation. The company is required to submit the missing ESP report, and to describe what measures the company will take to ensure the complete and timely submission of future reports. The company is required to submit a response by March 23, 2012.

Please be advised that the submission of information to respond to this letter does not constitute waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

Should the company have any questions and/or comments, I may be reached at (419) 373-3117. I may also be contacted electronically by E-mail at:
paul.chad@epa.state.oh.us

Sincerely,



Paul Chad
Division of Air Pollution Control

/llr

pc: Tom Kalman, DAPC CO
William MacDowell, US EPA - Region V
DAPC NWDO File
Certified Mail Receipt Number 7009 1410 0001 1843 7934

ec: Jennifer Jolliff, DAPC NWDO
DAPC NWDO File