



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Richland County
Michael Byrne Manufacturing
Premise#: Not yet assigned
Notice of Violation

February 24, 2009

CERTIFIED MAIL

Mr. Jim Weist, President
Michael Byrne Manufacturing
1855 Earthboring Road
P.O. Box 444
Mansfield, Ohio 44901

Dear Mr. Weist:

This letter shall serve as follow-up to the inspection conducted on February 17, 2009, of Michael Byrne Manufacturing (MBM) by Mr. Chad Winebrenner and myself. The purpose of this inspection was to determine the compliance status of all air contaminant emissions units located there.

Based on our discussions, my observations during the inspection, and a review of the company's files, our findings are as follows:

1. The natural gas fired cutting table is a possible source of emissions and more information is needed to make that determination. Please provide the following information for that operation: Year the cutting table was installed; make and model number of the cutting table; heat rating of the cutting torch (in Btu/hr); maximum thickness of material cut on the table, and; the number of hours the table is used per day.

Also, Ohio EPA would like to observe this equipment in operation. Please contact me so that a time can be arranged for Ohio EPA to be on site.

2. A paint booth is on site that has been acknowledged in past correspondence from Ohio EPA to MBM, dating back to 1996. No follow-up by either Ohio EPA or MBM was done. Regardless, installation of this coating operation without first obtaining a permit to install or a permit to operate is a violation of Ohio Administrative Code (OAC) rules 3745-31-02(A), 3745-35-02 and Ohio Revised Code (ORC) 3704.05.

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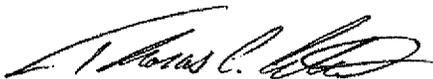
The company's written response to this letter is requested by March 27, 2009. It should be submitted to Ohio EPA, Northwest District Office and contain a compliance plan to remedy the observed situation and prevent this, or any similar such situation, from occurring in the future. The response should also include complete PTIO applications, including all applicable emissions activity category (EAC) forms, emissions calculations and process flow diagrams.

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

As discussed at the time of our visit, our agency's Office of Compliance Assistance and Pollution Prevention (OCAPP) is available to any qualifying small business to assist in achieving and maintaining compliance with Ohio's environmental regulatory programs. More information pertaining to OCAPP is also available on our website at <http://www.epa.state.oh.us/ocapp/ocapp.html> Should you choose to contact OCAPP for assistance with issues pertaining to this letter, please contact Ron Nabors at (419) 373-3147. Also, should you contact OCAPP for assistance, please inform our office of that so that a new deadline for application submission can be determined.

Thank you, again, for accommodating our unannounced visit on the 17th. If the company has any questions and/or comments concerning this letter, please contact me at the above address, by calling (419) 373-3137, or electronically via e-mail at thomas.cikotte@epa.state.oh.us.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/llr

pc: Lisa Holscher, U.S. EPA Region V
Tom Kalman, DAPC - CO
Don Waltermeyer, DAPC - NWDO
Thomas C. Cikotte, DAPC - NWDO
Kara Reynolds, DHWM - NWDO