



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
Custom Hardwoods
4280 Hinesville Road
Shelby, Ohio 44875
Unpermitted facility
Notice of Violation

June 22, 2007

CERTIFIED MAIL

Mr. Chris Fraley
Custom Hardwoods
2250 State Route 39
Mansfield, Ohio 44903-8009

Dear Mr. Fraley:

This letter shall serve as follow-up to the inspection conducted at the above-referenced facility on June 14, 2007, by Mr. Mohammad Smidi, Mr. Chad Winebrenner and myself from the Northwest District Office (NWDO). The reason for the inspection was to determine the compliance status of the emissions unit operating at the facility with the rules and regulations of the Division of Air Pollution Control (DAPC). We appreciate your cooperation during the unannounced inspection on June 14th.

Findings of this inspection and related information can be summarized as follows:

1. The facility has existed at this location for approximately four years. The facility has operated at least one unpermitted coating operation during this time. The facility has maintained the operation is "de minimis" and only employs one type of primer with two additional tinting options and acetone for thinning and clean-up.

The facility has also repeatedly announced its intention to relocate to 220 Mansfield Industrial Parkway, Mansfield, OH. Mr. Chad Delbecq of NWDO - DAPC, Mr. Ron Nabors of Ohio EPA's Office of Compliance and Pollution Prevention (OCAPP), Mr. Mohammad Smidi of NWDO - DAPC and myself have all been informed of this on numerous occasions, the first of which was approximately 18 months ago. Each time the issue has been discussed, the expected date for this event has been extended.

2. Several complaints have been received by NWDO and subsequent investigations have resulted in the following allegations: open burning; burning materials other than clean; dry wood in an outdoor wood burning heating unit; problems with nuisance dust, and; odor problems described as a chronic chemical solvent odor.
3. I visited the facility on May 14, 2007, in response to a complaint. Evidence of past open burning was found, however, it did not appear that any open burning had occurred recently. Coated wood scraps that are not permitted to be burned were found in a pile near the outdoor wood burning heating unit and the facility was informed that they could not burn coated wood scraps in the heater. The facility was also advised that it needed to be more diligent in their handling of the dust from woodworking operations on site. In response to the original complaint, no objectionable odors were detected at the time of the visit. A letter was issued on May 25, 2007, reiterating these requirements.
4. On the June 14, 2007, inspection, it was determined the facility employs more than seven different coatings and two different thinning solvents/clean-up materials. The facility keeps insufficient documentation to support being a "de minimis" coating operation and regularly exceeds the maximum emissions levels allowed in the "de minimis" rules found in Ohio Administrative Code (OAC) rule 3745-15-05. Therefore, the facility is in violation of not having obtained a Permit to Install (PTI) and a Permit to Operate (PTO) prior to installation and operation of this emissions unit pursuant to OAC rules 3745-31-02 and OAC 3745-35-02 as well as ORC 3704.05.

The facility is required to apply for a PTI and PTO (and submit corresponding Emissions Activity Category form) by submitting the respective applications. These applications can be found at found on Ohio EPA's website at <http://www.epa.state.oh.us/dapc/fops/eac/eacforms.html>. They must be submitted to NWDO by July 23, 2007, or the facility must cease operation of all coating operations.

5. Wood with primer applied was found in the outdoor wood burning heating unit, however, the unit was not in operation. This shall serve as the final warning regarding this matter. If wood, aside from clean, dry wood, burned in the outdoor wood burning unit again, the facility will be found in violation of the rules and regulations of the DAPC and will be required to obtain a permit accordingly.
6. The nuisance investigations are ongoing and a determination on the facility's compliance with OAC rule 3745-15-07 will be made at a later date.

Mr. Chris Fraley

June 22, 2007

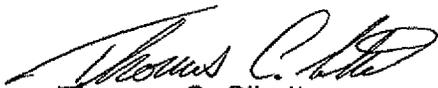
Page 3

A written response indicating the facility's intention should be submitted to my attention no later than July 13, 2007. Please be advised that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 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.

If you have any questions and/or concerns, please contact me at (419) 373-3137.

Sincerely,



Thomas C. Cikotte
Environmental Specialist
Division of Air Pollution Control

/llr

pc: Don Waltermeyer, DAPC-NWDO
Elisa Thomas, DAPC-CO
Lisa Holscher, US EPA Region 5
Samir Araj, DAPC-NWDO
Tom Kalman, DAPC-NWDO
Thomas C. Cikotte, DAPC-NWDO
Phyllis Alt

