



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: Erie County
ThorWorks Industries
2520 South Campbell Street
Sandusky, OH 44870
Premise #0322020274
Notice of Violation

August 9, 2007

CERTIFIED MAIL

7006 0100 0003 7708 5244

Mr. Jim Ulizzi
Safety Environmental Director
ThorWorks Industries
2520 South Campbell Street
Sandusky, Ohio 44870

Dear Mr. Ulizzi:

This letter shall serve as the follow-up to the investigation conducted on July 18, 2007 at the above referenced facility. The purpose of the investigation was to determine the justification of a complaint that was received on June 28, 2007. The investigation was conducted and completed by Mr. Thomas Cikotte, Mr. Chad Winebrenner and myself representing the Northwest District Office (NWDO) Division of Air Pollution Control (DAPC).

Based on discussions with yourself and Mr. Ron Landis who serves as an Equipment Manager at the facility, as well as a review of the company files located at NWDO, the findings are as follows:

1. The facility was issued a Notice of Violation (NOV) letter from the DAPC on November 8, 2004. This letter required the facility to submit a Permit to Install (PTI) and Permit to Operate (PTO) application for emission units that warranted permitting. The facility submitted a PTI and PTO application as well as the corresponding Emissions Activity Category (EAC) form for the miscellaneous metal parts coating operation. This emissions unit was issued PTI #03-16314 on July 14, 2005 for this emissions unit.
2. The complaint received on June 28, 2007 was regarding solvent odor from the company's paint booth, the same one permitted under PTI #03-16314. The facility is required to maintain record keeping requirements of paint usage. It was noted by yourself as well as Mr. Landis that no such information is being kept. This is a violation of the record keeping requirements noted in the PTI on pages 7 through 10. This is also a violation of Ohio Revised Code (ORC) 3704.05.

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3. The facility has failed to maintain records of paint usage and is therefore unable to demonstrate compliance with the ten gallons per day limitation based on Ohio Administrative Code (OAC) rule 3745-21-09(U)(2)(e)(iii). In fact, Mr. Landis stated during the investigation that if that was the case, they would be unable to continue operation with that limitation. In subsequent calls, Mr. Landis retracted that statement and stated that the individuals doing the painting said that at most, 5 gallons per day of coating is applied. However, since no records were kept as required, this statement does not resolve the matter.
4. The facility has occasionally submitted quarterly deviation reports as required by PTI #03-16314. The PTI was issued final on July 14, 2005, but failed to submit the third and fourth quarter of 2005 deviation reports. These are violations of the reporting requirements in the PTI and a violation of ORC 3704.05. The facility is also found in violation of the PTI by submitting falsified deviations reports as well as in violation of ORC 3704.05(H) because, although no deviations were reported, there are no records being kept to document compliance. Please explain how the facility has demonstrated such compliance.
5. The facility in previous correspondences was required to either conduct stack testing on the mixers using worst-case products being mixed or provide a more thorough analysis of emission calculations. Two letters dated December 15, 2004 and May 15, 2006 detailed this requirement. The facility is thereby required to submit an Intent to Test (ITT) on at least one of the mixers pursuant to ORC section 3704.03(I). The testing of the mixer(s) must be conducted while the emissions unit(s) is (are) operating at maximum process weight rate.

The facility is required to submit a written response and an ITT by no later than September 28, 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.

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If you have any questions or comments, you can contact me at (419) 373-3118.

Sincerely,



Mohammad Smidi
Environmental Specialist
Division of Air Pollution Control

/csl

ec: Peggy Argabright, DAPC/NWDO
Thomas Cikotte, DAPC/NWDO
Tom Sattler, DAPC/NWDO
Wendy Licht, DAPC/NWDO

pc: Don Waltermeyer, DAPC/NWDO
Lisa Holscher, US EPA Region V
Tom Kalman, DAPC/CO
'DAPC/NWDO File'

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MR JIM ULIZZI

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 DAPC/Smidi

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 Street, Apt. No.,
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 City, State, ZIP+4 SANDUSKY OH 44870

PS Form 3800, June 2002 See Reverse for Instructions

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1. Article Addressed to:

 MR JIM ULIZZI
 SAFETY ENV DIRECTOR
 THORWORKS INDUSTRIES
 2520 SOUTH CAMPBELL ST
 SANDUSKY OH 44870

 DAPC/M. Smidi/csl

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