



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

December 2, 2009

Certified Mail #7007 3020 0001 7884 7978

Charles Muhs
31 Inc.
P.O. Box 278
Newcomerstown, OH 43832

Re: Tuscarawas County
31 Inc.; Facility ID # 0679000284
Warning Letter (non-HPV)

Dear Mr. Muhs:

On July 22, 2009, Ohio EPA, Division of Air Pollution Control (DAPC), Southeast District Office, visited the 31 Inc. facility located at 100 Enterprise Drive in Newcomerstown, Ohio. This visit was in response to your request for assistance in determining whether modification of the current air permits for this facility is necessary. Specifically, you were concerned about increases in volatile organic compound (VOC) emissions expected when production is increased to meet demand due to the closing of a former competitor's facility. During the site visit, I observed the company's operations and reviewed current and projected coating use information.

31 Inc. is currently operating two nylon cord coating lines identified as emissions units (EUs) R001 and R002. The air requirements currently applicable to these two EUs are contained in permit-to-install (PTI) #06-5328 issued on May 13, 1998, as well as permits-to-operate (PTOs) that were renewed effective April 19, 2006. A third EU, R003, the dip pan for molded rubber plugs, is regulated by PTI #06-06846 issued on May 21, 2002, and the PTO issued on December 20, 2005.

Based on the information gathered during the site visit and as outlined in the calculations attached to the email sent to you on July 23, 2009, it appears the company is currently in violation of several conditions of its air permits.

First, Ohio Administrative Code (OAC) rule 3745-21-09(G) and Part II.A.1 of the PTOs for these EUs limit the VOC content of any nylon cord coating to 2.9 pounds of VOC per gallon of coating, as applied. However, the coating formulation currently being used in EUs R001 and R002 at 31 Inc. appears to have a VOC content of 3.95 pounds per gallon. As we discussed, the company must first ensure it is using a compliant coating. To do this, you were considering replacing some or all of the heptane solvent used with an exempt solvent such as acetone. You stated that you would need to test a few

batches using alternative solvents to determine if replacement of the solvent would still allow you to meet product specifications. To date, you have not provided DAPC, SEDO with the results of these tests or a compliance plan for attaining compliance with the as-applied coating limit of 2.9 pounds per gallon. This information must be provided in response to this letter. The need for adjustment of the synthetic minor restrictions in the current permits will be re-evaluated once compliance with the coating VOC content limit is attained.

Second, although the company's coating records currently allow you to determine actual weekly VOC emissions based on heptane use, the company does not appear to be tracking all of the information required by its air permits. Specifically, Part II.C.1 of the PTOs requires the company to record the following information for EUs R001 and R002, combined, each month:

- a. the name and identification number of each coating;
- b. the VOC content of each coating, as applied, in pounds per gallon;
- c. the number of gallons of each coating employed; and
- d. the total VOC emissions from all coatings (calculated as the sum of C.1.b X C.1.c divided by 2000 lbs/ton for all of the coatings employed), in tons.

Part II.C.1 of the PTO for EU R003 requires that the company record the following information each month:

- a. the number of gallons of OC (heptane) employed;
- b. the OC content of each coating, as applied, in lbs/gal; and
- c. the total OC emissions from all coatings, calculated as the sum of C.1.a X C.1.b for all of the coatings employed, in pounds.

Compliance with the coating VOC content requirement, as well as with the monthly and annual OC and VOC limits, is based upon the recordkeeping requirements outlined above, and these records were not available. As a result, Ohio EPA could not readily determine whether the company is in compliance with these limits without performing additional calculations. The company must begin keeping this coating information immediately, and you must provide copies of these records with your response to this letter.

Third, Part II.D.2. of the PTOs for EUs R001 and R002, and Part II.D.1 of the PTO for EU R003, require submittal of a report, by January 31th of each year, summarizing the OC and VOC information for the previous calendar year. The last annual report that DAPC, SEDO received from 31 Inc. was received on February 2, 2008. Please note that this requirement is currently separate from the requirement to submit annual synthetic minor fee emission reports by April 30th of each year. In response to this letter, please submit the annual report for 2008, including all supporting calculations.

Charles Muhs
31 Inc.
December 2, 2009
Page 3

Please note that except for the coating VOC content requirement, the violations cited above were also discovered during the compliance evaluation inspection conducted by DAPC, SEDO on September 12, 2007 (see letter dated September 24, 2007, enclosed). Although a response to the 2007 letter was requested, it appears the company failed to respond to that letter and resolve these violations.

Within thirty (30) days of your receipt of this letter, please provide the information requested above. 31 Inc. must provide Ohio EPA this information to ensure compliance with state air pollution regulations. Acceptance of this information by Ohio EPA does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

As we discussed during the site visit, Ralph Witte with Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) is available and should be contacted if you would like his assistance in responding to this letter. Mr. Witte can be reached at (740) 380-5241.

Should you have any questions, please feel free to contact me at (740) 380-5245 or via email at kim.reinbold@epa.state.oh.us.

Sincerely,



Kimbra L. Reinbold
Division of Air Pollution Control
Southeast District Office

KLR/mlm

Enclosures

cc: Ralph Witte, OCAPP, SEDO