



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

September 24, 2007

Re: Tuscarawas County
31 Inc.
Facility ID # 0679000284
Inspection-Notice of Violation

Certified: 70063450000190560310

Charles Muhs
31 Inc.
PO Box 278
100 Enterprise Drive
Newcomerstown, OH 43832

Dear Mr. Muhs:

On September 12, 2007, I met with Mr. Paul Clark and performed an inspection of the 31 Inc. facility in Newcomerstown, Ohio. The inspection was conducted to determine the facility's compliance with state and federal air pollution rules and regulations. Based on my inspection, file review, and reports submitted by 31 Inc., the following violations have been discovered:

1. The annual VOC emissions for emissions units R001 and R002, combined, exceeded the permit limit of 81.5 tons per year by 0.32 tons. When you applied for the original permit to install (PTI) for these units, 81.5 tons per year was represented as the maximum potential emissions. As we discussed, since this now appears incorrect and no physical change or change in the method of operation of the units has occurred, it appears that this violation could be avoided in the future by submitting a request to modify both the existing PTI and permit to operate (PTO). The request should include new calculations showing the true potential to emit and, if that would result in facility-wide emissions greater than 100 tons per year, please specify what emissions limits you want to accept in order to limit the facility to less than 100 tons of VOC emissions per year.
2. The PTOs for all three emissions units require you to submit an annual emissions summary by January 31 of each year. You have not complied with this deadline, although the information is submitted with the SMTV fee report in April. You may request a change in these reporting requirements when you request the permit modifications discussed above.
3. The recordkeeping requirements in the permits for R003 have not been met. This information is available in another place at the facility and was received on September 21, 2007. Plans were to immediately begin keeping records using a form similar to that used for R001 and R002. Note that this form currently records solids content but not the VOC content required by the permit and, therefore, needs to be modified for all three emissions units.

Charles Muhs
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Acceptance by the Ohio EPA of the revised VOC reports and/or processing of permit modifications does not constitute a waiver of the 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 the Ohio EPA at a later date.

Should you have any questions, feel free to contact me at (740) 380-5228 or email glen.greenwood@epa.state.oh.us.

Sincerely,



Glen Greenwood
Environmental Specialist 3
Division of Air Pollution Control
Southeast District Office

GG/mlm

cc: Tom Kalman, DAPC/CO
Lisa Holcsher, USEPA Region V
Bruce Weinberg, DAPC/SEDO