



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

September 4, 2012

RE: Pike County
Latham Lumber
0666000055
Notice of Violation Non-HP

Certified: 70102780000197061364

Ms. Karen Chandler, Owner
Latham Lumber
P.O. Box 147
Latham, Ohio 45646

Dear Ms. Chandler:

On July 19, 2012, Racheal Sams, Jessica Kelley and I performed an inspection on behalf of the Ohio Environmental Protection Agency (Ohio EPA) of Latham Lumber, located at 9445 OH 124, Pike County, Ohio. During this inspection, Kelly McFarland, the Site Manager, was present. We also met with you to discuss the new permits for Latham Lumber. The inspection was conducted to determine the facility's compliance with the current permit-to-install (PTI) terms and conditions and state and federal air pollution control rules and regulations prior to issuing a renewal permit-to-install and operate (PTIO).

The emissions units located at Latham Lumber include a 0.2 Million BTU waste oil heater (B001), 0.18 Million BTU waste oil heater (B002), roadways and parking areas (F001), storage piles (F002), truck dump (F003), mulch processing (F004), 10,000 gallon diesel fuel tank (T001) and a 12,000 gallon diesel fuel tank (T002).

Latham Lumber was issued a Permit to Install (PTI 06-3123) on January 10, 1996, for T001, T002, F001, F002, F003, and F004. No permit was issued for B001 and B002 because they are considered to be De Minimis. State PTOs were issued August 4, 2000, for F003 (P0090494) and F004 (P0090495). A PTIO renewal application was received August 12, 2005, for T001, T002, F001, F002, F003, and F004. On July 7, 2012, Ohio EPA received a letter asking for the revocation of the PTI for T001 and T002 because they are now exempt under Ohio Administrative Code Rule 3745-31-03(A)(1)(iv). Therefore T001 and T002 will be excluded from this permit renewal. This PTIO application is currently pending.

During the course of the inspection, we documented the following violations:

1. Failure to conduct daily inspections and to record the required information.

As stated in the State PTO for F003 (P0090494, issued August 8, 2000), daily inspections are to be conducted for truck dumping, truck loading, and conveying. These inspections are to be performed during representative, normal operating conditions. The following are to be recorded for these inspections:

- a. the date and reason any required inspection was not performed;
- b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
- c. the dates the control measure(s) was (were) implemented; and
- d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

2. Failure to conduct daily inspections and to record the required information.

The State PTO for F004 (P0090495, issued August 4, 2000), requires daily inspections to be conducted for Mulch Processing. This inspection is to be performed during representative, normal operating conditions. The following are to be recorded for these inspections:

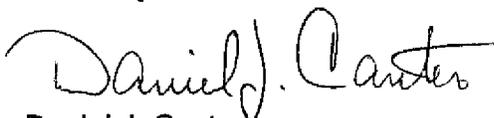
- a. the date and reason any required inspection was not performed;
- b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
- c. the dates the control measure(s) was (were) implemented; and
- d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

Within thirty (30) days of receipt of this letter, please provide the following information to the Ohio EPA, Division of Air Pollution Control (DAPC) of the Southeast District Office (SEDO); a compliance plan and schedule to return the facility to compliance. The plan should include corrective actions to be taken and a timeline for completing those actions.

Acceptance by Ohio EPA of a compliance plan and schedule 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.

If you are unable to respond to any part of this request within the time frame discussed above, please contact me so that I may be of assistance. Should you have any questions or concerns, please feel free to contact me by telephone at (740)380-5263 or via email at dan.canter@epa.state.oh.us.

Sincerely,



Daniel J. Canter
Environmental Specialist
Division of Air Pollution Control

DJC/cs

cc: Dean Ponchak, DAPC-SEDO
cc: Steve Lowry, DAPC-SEDO