



State of Ohio Environmental Protection Agency

Northeast District Office

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

June 21, 2007

Mr. William Keim
Keim Lumber Company
4465 State Rte. 557
P.O. Box 40
Charm, OH 44617

RE: Notice of Violation for Use of Photochemically Reactive Material in Excess of Rule Allowable; DAPC Facility ID # 02-38-00-0141

Dear Mr. Keim:

Keim Lumber Company is in violation of Ohio's air pollution regulation related to wood coating and needs to take the prompt actions listed below. I encourage you to review this information carefully in order to:

- understand the violations and OAC rule 3745-21-07(G);
- work with your consultant to prevent any additional violations; and
- provide the additional information requested no later than July 6, 2007.

Exceeding 40 pound per day of organic compound emissions when a photochemically reactive coating or clean-up material is employed, is in violation of OAC rule 3745-21-07(G). Based upon the coating usage record submitted on March 2, 2007 and the coating formulation information provided on April 11, 2007, by Mr. Rob Jarrett, your consultant, emissions unit R001 exceeded the 40 pound per day limitation for 25 days during the period December 2006 through March 1, 2007.

OAC rule 3745-21-07 (G)(2) establishes limitations of 8 pounds per hour and 40 pounds per day of organic compound (OC) emissions from the coating operation for any day photochemically reactive materials (PRM) are employed. Four of the products used by Keim Lumber in the coating operation were determined to be photochemically reactive materials.

Work with your consultant to prevent any additional violations. The definition of a photochemically reactive material is found in OAC rule 3745-21-01(C)(5) and is based upon the chemical formulation of the liquid portion of the material. Any evaluation of the coating material must be of the material as applied, after the addition of any catalysis or thinner.

The permit that will be issued for the coating operation will require that each coating and clean-up material be identified as photochemically reactive or non-photochemically reactive. Because the rule can be complicated, I strongly suggest you rely on the services of someone familiar with the definition of photochemically reactive material in OAC rule 3745-21-01(C)(5). I have enclosed a copy of the rule. ALWAYS request that the determination be provided to you in writing from your consultant or coating manufacturer.

MR. WILLIAM KEIM
JUNE 21, 2007
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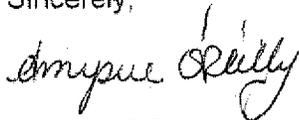
Provide the additional information requested below as soon as possible, but no later than July 6, 2007.

1. Date actual coating and clean-up material usage records began.
2. Copy of any coating and clean-up material usage records maintained prior to December 1, 2006.
3. Copy of all coating and clean-up material usage records from March 1 to date, including calculations of the daily, and hourly if possible, organic compound emissions.

Be advised that violations of state air pollution regulations are punishable by civil penalty of \$25,000 per violation. Ohio Revised Code 3704.05(C) states that "no person who holds a permit shall violate any of its terms and conditions and (A) states that no person shall cause, permit, or allow emission of an air contaminant in violation of any rule adopted by the director of environmental protection." Issuance of this notice does not excuse past violation of federal, state and local laws regarding air pollution. This office reserves the right to pursue violations of air pollution regulations in the form of a referral to Ohio EPA's Central Office.

Please provide the information requested **above as soon as possible, but no later than July 6, 2007**. If you have any questions, please contact me directly at (330) 963-1298.

Sincerely,



Amysue O'Reilly
Environmental Specialist
Division of Air Pollution Control

AO:bo

enclosure

ec: Ed Fasko, Ohio EPA, NEDO, DAPC
Dennis Bush, Ohio EPA, NEDO, DAPC
Rob Jarrett, Jarrett Environmental Management

cc: Bob Princic, Ohio EPA, NEDO, DAPC
Tom Kalman, Ohio EPA, CO, DAPC
Lisa Holscher, U.S. EPA, Region 5