



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

May 18, 2007

CERTIFIED MAIL

Mr. Willis Mast
Kohler Woodcraft
7284 S. Kohler Rd.
Apple Creek, OH 44606

0285000460

Subject: Notice of Violation for Installing and Operating Air Contaminate Source without Applying for Permits; Immediate Attention Requested

Dear Mr. Mast:

Kohler Woodcraft is in violation of Ohio environmental regulations and needs to take immediate action.

In a letter dated March 17, 2006, you were informed that certain equipment at your facility are air contaminant sources and were requested to evaluate if these air contaminant sources were required to be permitted by the Division of Air Pollution Control. **To date I have not received either permit application or documentation supporting an exemption for the air contaminant sources at Kohler Woodcraft.** The air contaminant sources at Kohler Woodcraft include, but are not limited to, the 150 hp stationary diesel engine, the coating operation, and the woodworking equipment.

On June 14, 2006, I received a letter from Mr. William J. Carstensen, an attorney you retained to assist in obtaining the appropriate permits, stating that he would be working with Ms. Adrienne LaFavre in our Office of Compliance Assistance and Pollution Prevention. On March 12, 2007, I receive a phone call from Mr. Dave Conrad, a consultant with HzW Environmental, who stated he was retained by Kohler to complete the permit application.

What rules have been violated?

Please be advised that Rule 3745-31-02, of the Ohio Administrative Code, states in part "... no person shall cause, permit, or allow the installation of a new source of air pollutants... without first applying for and obtaining a permit-to-install from the Ohio EPA..." This applies to any air contaminant source installed after October 1972.

Also be advised that Rule 3745-35-02, of the Ohio Administrative Code, states in part "...no person may cause, permit, or allow the operation or any other use of an air contaminant source without applying for and obtaining a permit-to-operate from the Ohio EPA..." This applies to all air contaminant sources regardless of installation date.

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How to return to compliance.

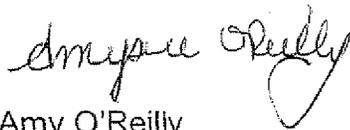
Please submit applications for a permit-to-install and permit-to-operate for the air contaminant sources at your facility **by June 29, 2007**. If you believe the coating operation or woodworking equipment is exempt from permitting, please submit the documentation needed to support this determination to my attention also **by June 29, 2007**.

Be advised that violations of state air pollution regulations are punishable by a civil penalty of \$25,000 per violation. 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 submit the requested information to this office **no later than June 29, 2007**. If this information is not submitted in a timely fashion, this office will have no choice but to refer this matter to the Central Office Enforcement Committee for further action.

If you have any questions, please do not hesitate to contact me directly at (330) 963-1298.

Sincerely,



Amy O'Reilly
Environmental Specialist
Division of Air Pollution Control

AO/mt

cc: Tom Kalman, Ohio EPA, DAPC, CO
Lisa Holscher, US. EPA, Region 5

ec: Dennis Bush, Ohio EPA, DAPC, NEDO
Bob Princic, Ohio EPA, DAPC, NEDO
Ed Fasko, Ohio EPA, DAPC, NEDO