



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:
AE-17J

MAR 25 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joe Zanon, Plant Manager
Wisconsin Veneer and Plywood, Inc.
610 Railroad Street
P.O. Box 140
Mattoon, Wisconsin 54450

Re: Finding of Violation
Wisconsin Veneer and Plywood, Inc.
Mattoon, Wisconsin

Dear Mr. Zanon:

This is to advise you that the U.S. Environmental Protection Agency has determined that Wisconsin Veneer and Plywood, Inc. (WV&P, the Facility or you) located in Mattoon, Wisconsin, has violated the regulations promulgated under the Clean Air Act (CAA) and requirements of a Title V Operation Permit issued by the State of Wisconsin. The requirements violated are described below. We are today issuing to you a Finding of Violation (FOV) for these violations.

The Title V Operation Permit #459044300-PO2 (the Permit) was issued to WV&P on April 29, 2003. The Permit, among other requirements, sets certain conditions for operation, monitoring, reporting and compliance certification for processes and control equipment operated at the Facility. Those conditions include requirements to maintain a certain range of pressure drop across the multi-cyclones for boiler B08 and to submit semi-annual reports and annual compliance certifications identifying all deviations from such requirements. The purpose of these requirements is to ensure that at all times the Boiler is operated under conditions that are most representative of compliance with the particulate matter and opacity limits. Violations of the above requirements could result in increased emissions of particulate matter which contribute to respiratory problems and lung damage. Furthermore, under the Title V program, sources must submit periodic reports to the State and EPA as appropriate, concerning the extent of their compliance with permit obligations. This program provides for more efficient implementation of the Act, including improved enforcement, enhanced State air program resources, and a streamlined process for revising air pollution control requirements. Failing to provide accurate information in these reports frustrates those purposes of the Title V program.

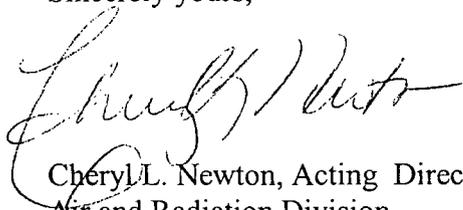
We find that you have violated the above requirements at your Mattoon, Wisconsin facility. Since WV&P violated the Permit, you have also violated Section 502 of the Act and its associated regulations which require compliance with the terms and conditions of the Title V permits.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action.

Section 113 of the CAA provides you with the opportunity to request a conference with us to discuss the violations alleged in the FOV. You may have an attorney present at this conference.

The EPA contact in this matter is Farro Assadi. You may call him at (312) 886-1424 if you wish to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Cheryl L. Newton".

Cheryl L. Newton, Acting Director
Air and Radiation Division

Enclosure

cc: Rick Wulk, Supervisor
Wisconsin Department of Natural Resources
Northeast Region

standard bcc's: official file copy w/attachment(s)

other bcc's: P. Bending, C-14J
S. Valentine

and Condition N(1)(a)1d) states that all deviations from, and violations of applicable requirements shall be clearly identified in the submittal.

iv. Part II, Conditions N.1.b.(2) and (3) of the Permit require that the Facility submit compliance certifications to WDNR and EPA and that the certifications include the compliance status of the source with respect to each term or condition identified in the permit and indicate if compliance was continuous or intermittent.

4. a. Records submitted by WV&P indicate that between January 1, 2004 and December 31, 2006, the pressure drop for multi-cyclone C07 was outside of the allowable range during 1,912 readings, and that during the same period, the pressure drop for multi-cyclone C08 was outside of the required range during 1,861 readings.

b. Despite the out of range readings that were recorded, semi-annual monitoring reports and annual compliance certifications submitted by WV&P for calendar years 2004 and 2005 did not identify any deviations of the above conditions and in fact certified continuous compliance with all the terms and conditions of the Permit.

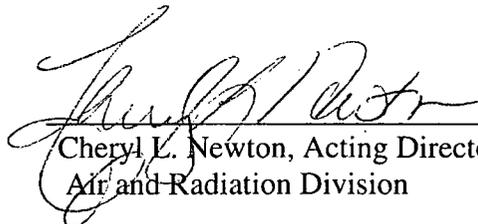
c. WV&P's operation in violation of its Title V permit conditions and its failure to identify the deviations in its semi-annual and annual compliance certifications constitute violations of Section 502 of the Act and of 40 C.F.R. § 70.7(b).

Environmental Impact of Violations

5. Terms and conditions of the Title V Operation Permit were set to ensure that boiler B08 operates in continuous compliance with the emission standards. Violations of such conditions could increase public exposure to unhealthy emissions of particulate matter which contributes to respiratory problems, lung damage and premature deaths.
6. Under the Title V program, sources must submit periodic reports to the State and EPA as appropriate, concerning the extent of their compliance with permit obligations. This program provides for more efficient implementation of the Act, including improved enforcement, enhanced State air program resources, and a streamlined process for revising air pollution control requirements. Failing to provide accurate information in these reports frustrates those purposes of the Title V program.

Date

3/25/08


Cheryl L. Newton, Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Finding of Violation, No. EPA- 5-08-WI-11, by Certified Mail, Return Receipt Requested, to:

Joe Zanon, Plant Manager
Wisconsin Veneer and Plywood, Inc.
610 Railroad Street
P.O. Box 140
Mattoon, Wisconsin 54450

I also certify that I sent a copy of the Finding of Violation by first class mail to:

Rick Wulk, Supervisor
Northeast Region
Wisconsin Department of Natural Resources
2984 Shawano Avenue
P.O. Box 10448
Green Bay, Wisconsin 54307-0448

on the 26th day of March, 2008.

Shanee Rucker

Shanee Rucker, Secretary
AECAS (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 70d 0320 0006 0185 9587



Office of Enforcement and Compliance Assurance
INFORMATION SHEET

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Compliance Assistance Centers

(www.assistancecenters.net)

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

Agriculture

(www.epa.gov/agriculture or 1-888-663-2155)

Automotive Recycling Industry

(www.ecarcenter.org)

Automotive Service and Repair

(www.ccar-greenlink.org or 1-888-GRN-LINK)

Chemical Industry

(www.chemalliance.org)

Construction Industry

(www.cicacenter.org or 1-734-995-4911)

Education

(www.campuserc.org)

Healthcare Industry

(www.hercenter.org or 1-734-995-4911)

Metal Finishing

(www.nmfrc.org or 1-734-995-4911)

Paints and Coatings

(www.paintcenter.org or 1-734-995-4911)

Printed Wiring Board Manufacturing

(www.pwbrc.org or 1-734-995-4911)

Printing

(www.pneac.org or 1-888-USPNEAC)

Transportation Industry

(www.transource.org)

Tribal Governments and Indian Country

(www.epa.gov/tribal/compliance or 202-564-2516)

US Border Environmental Issues

(www.bordercenter.org or 1-734-995-4911)

The Centers also provide State Resource Locators (www.envcap.org/statetools/index.cfm) for a wide range of topics to help you find important environmental compliance information specific to your state.

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page

www.epa.gov

Small Business Gateway

www.epa.gov/smallbusiness

Compliance Assistance Home Page

www.epa.gov/compliance/assistance

Office of Enforcement and Compliance Assurance

www.epa.gov/compliance

Voluntary Partnership Programs

www.epa.gov/partners



Hotlines, Helplines & Clearinghouses

(www.epa.gov/epahome/hotline.htm)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

Clean Air Technology Center

(www.epa.gov/ttn/catc or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act

(www.epa.gov/superfund/resources/infocenter/epcra.htm or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.

(www.epa.gov/sbo or 1-800-368-5888)

The National Environmental Compliance Assistance Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers (www.epa.gov/clearinghouse)

National Response Center to report oil and hazardous substance spills.

(www.nrc.uscg.mil or 1-800-424-8802)

Pollution Prevention Information Clearinghouse

(www.epa.gov/opptintr/ppic or 1-202-566-0799)

Safe Drinking Water Hotline

(www.epa.gov/safewater/hotline/index.html or 1-800-426-4791)

Stratospheric Ozone Refrigerants Information

(www.epa.gov/ozone or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.

(1-202-554-1404)

Wetlands Helpline

(www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

EPA's Small Business Ombudsman

(www.epa.gov/sbo or 1-800-368-5888)

Small Business Environmental Homepage

(www.smallbiz-enviroweb.org or 1-724-452-4722)

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated,

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

The Small Business Compliance Policy

(www.epa.gov/compliance/incentives/smallbusiness)

Audit Policy

(www.epa.gov/compliance/incentives/auditing)

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.