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COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

George Allen
Governor

WEST CENTRAL REGIONAL OFFICE

3019 Peters Creek Road
Roanoke, VA 24019
(540) 562-6700

Thomas L. Hopkins
Director

Becky Norton Dunlop
Secretary of Natural Resources

FAX (540) 562-6725

Thomas L. Henderson
Regional Director

<http://www.deq.state.va.us>

NOTICE OF NONCOMPLIANCE Certified-Return Receipt Requested March 11, 1997

Mr. Doane Cowan
Regional Engineer
Columbia Forest Products
100 Paul Road SW
P. O. Drawer F
Chatham, VA 24531

Re: Illegal discharge. PR 96-100099
Chatham, VA

Dear Mr. Cowan:

On January 8, 1997 and January 16, 1997 the Department of Environmental Quality, West Central Regional Office, conducted inspections of the Chatham, VA Columbia Forest Products plant in response to a complaint. The site was evaluated for compliance with the Virginia Solid Waste Management Regulations, 9 VAC 20-80-10 *et seq.* (VR 672-20-10), the Virginia Waste Management Act (1950 Code of Virginia, as amended §§10.1-1400, *et seq.*) and other applicable environmental statutes.

During the inspections, it was observed that a ditch had been excavated at the rear of the plant to carry storm water from the site to a wooded area on adjacent property. The site lies above a floodway and stream. Large pieces of dried glue were noted in the ditch and a discoloration was noted in the water standing in the ditch which indicated that there had been a discharge to this ditch of rinse water, glue and hydraulic fluid at the evaporation tanks. Spillage of hydraulic fluid and water was noted on the ground at the evaporation tanks. This discharge is in apparent violation of § 62.1-44.5 of the State Water Control Law (prohibition of discharge without authorization by the State Water Control Board), and §9 VAC 25-260-20 (the general standard for surface water), in addition to §9 VAC 20-80-80 (prohibition of open dumps).

These apparent violations are considered reportable noncompliance which must be addressed promptly. Please note that under 9 VAC 20-80-200 any person responsible for an unpermitted facility shall immediately cease treatment, storage, or disposal of any additional waste and shall initiate removal and cleanup or other remedial actions, as appropriate.

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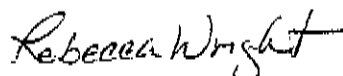
Within 10 days of receiving this Notice, you should contact this office if you have taken measures to correct the violations or if there is other information which the Department should consider. You must take action to correct these violations and apply for a VPDES General Permit for storm water discharge within 30 days of receiving this Notice. The permit application forms are enclosed with this letter. Please see the instructions attached to the permit application forms.

Failure to comply with these requirements can result in enforcement action, which may result in significant civil charges. Please be aware that §62.1-44.32 (a) of the State Water Control Law authorizes penalties of up to \$25,000 per day for violations.

Please be advised that this notice is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act (VA Code §§9-6.14:1, et seq.). It does advise you that the facts stated in this notice could provide a basis for civil proceedings for noncompliance under the VA Code §10.1-1402.19 and 10.1-1455, §62.1-44.32(a) of the State Water Control Act or other pertinent sections of the VA Code, should DEQ take or seek actions authorized by law.

If you have any questions, please call me at (540)562-6811. You should contact Becky France, Environmental Engineer, at (540) 562-6793 if you have any questions regarding the permit application.

Sincerely,



Rebecca Wright
Environmental Inspector Sr.

CC: Aziz Farahmand, P. E., Environmental Program Manager
Jim Smith, Enforcement Specialist
Grady DeVilbiss, Environmental Specialist Sr.
Becky L. France, Environmental Engineer
Tammy Rogers, Compliance Auditor
Mr. Harry Gillespie
Mr. Jack Downie, EPA