



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



STATE OF CONNECTICUT)
VS.)
THE HITCHCOCK CHAIR COMPANY, LTD.)

ORDER NO. 8229A

CONSENT ORDER

- A. With the agreement of Hitchcock Chair Company, Inc. ("Respondent"), the Commissioner of Environmental Protection ("Commissioner") finds the following:
1. Respondent is a Delaware corporation doing business at 13 Riverton Road, Riverton, Connecticut ("facility").
2. At the facility, Respondent owns and operates a wood furniture manufacturing operation as that term is defined in Section 22a-174-32 of the Regulations of Connecticut State Agencies (R.C.S.A.).
3. Pursuant to Section 22a-174-32(b)(1)(C) of the R.C.S.A., the owner or operator of a wood furniture manufacturing operation with potential Volatile Organic Compound ("VOC") emissions of 25 tons or more per calendar year is subject to Section 22a-174-32 of the R.C.S.A.
4. Potential emissions of VOCs from the facility are greater than twenty-five (25) tons per calendar year.
5. By virtue of the above, Respondent is subject to the provisions of Section 22a-174-32 of the R.C.S.A.
6. Pursuant to Section 22a-174-32(d)(1)(C) of the R.C.S.A, Respondent was required to submit a VOC Reasonably Available Control Technology (RACT) Compliance Plan by February 28, 2000.
7. Pursuant to Section 22a-174-32(e) of the R.C.S.A, one year after becoming subject to the provisions of Section 22a-174-32 of the R.C.S.A., the owner or operator of a premise subject to that section was required to implement a VOC RACT method.

Respondent's Initials: [Signature] (Printed on Recycled Paper)
79 Elm Street • Hartford, CT 06106 - 5127

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8. Respondent has failed to submit a compliance plan by February 28, 2000 and has failed to implement a VOC RACT method within one year after becoming subject to the provisions of Section 22a-174-32 of R.C.S.A.
9. On December 11, 2000, the Commissioner issued Order number 1642 to Respondent, which required Respondent to submit a VOC/RACT compliance plan in accordance with Section 22a-174-32 of the R.C.S.A.
10. In January 2001, Respondent submitted a compliance plan, wherein they proposed to implement the RACT method of reformulating their coatings by reducing the VOC emissions of each coating by 80%, in accordance with Section 22a-174-32(e)(1)(B) of the R.C.S.A.
11. On August 8, 2001, Respondent notified the DEP that they would not be able to achieve the reformulation reductions as required by Section 22a-174-32 and as outlined in their January 2001 compliance plan.
12. Pursuant to Section 22a-174-32(d)(7) of the R.C.S.A, the Commissioner may, in lieu of requiring Respondent to submit a VOC/RACT compliance plan or one of the RACT methods required by 22a-174-32(e)(1) of the R.C.S.A, allow Respondent to meet the requirements of RACT by implementing the recommended Control Technology Guideline (CTG) for its source category, if such source category was identified in the Federal Register on April 28, 1992.
13. Respondent's source category, Wood Furniture Manufacturing Operations, was identified in the Federal Register on April 28, 1992. In May 1996, the United States Environmental Protection Agency (US EPA) published a final CTG for Wood Furniture Manufacturing Operations.
14. In order to implement the Wood Furniture Manufacturing Operations CTG in lieu of submitting a VOC/RACT compliance plan and implementing a RACT method identified in Section 22a-174-32, such CTG must be implemented through a permit or order submitted by the Commissioner to the Administrator of the USA EPA ("Administrator") for approval in accordance with the provisions of 42 U.S.C. 7401-7671, et seq.
15. In accordance with Section 22a-174-32(d)(7), this Consent Order is being issued to require Respondent to implement the Wood Furniture Manufacturing Operations CTG.
16. Through the issuance of this Consent Order, the Commissioner has determined that the Respondent is no longer required to submit a VOC/RACT compliance plan in accordance with Section 22a-174-32 and Order 1642 or respond further to Order 1642 provided that

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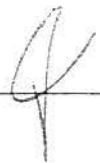
Respondent complies with the terms and conditions established herein.

17. By agreeing to the issuance of this Consent Order, Respondent makes no admission of fact or law with respect to the matters addressed herein, other than the facts asserted in paragraph A.1.
- B. The Commissioner, acting under Sections 22a-6, 22a-171, 22a-174, 22a-177, and 22a-178 of the Connecticut General Statutes, orders the Respondent as follows:
1. Within 90 days of final issuance date this Consent Order, Respondent shall comply with Section 22a-174-32 of R.C.S.A by implementing the CTG for Wood Furniture Manufacturing Operations by meeting the VOC emissions limitations, work practice standards, and recordkeeping and reporting requirements outlined in paragraphs B.2 through B.7 of this Consent Order.
2. VOC EMISSION LIMITATIONS

Respondent shall comply with the following VOC emissions limitations for its finishing operations:

- a. Topcoats and Sealers. Respondent shall limit the VOC emissions from their finishing operations by:
1. Using topcoats with a VOC content no greater than 0.8 kg VOC/kg solids (0.8 lb VOC/lb solids, as applied; or
 2. Using a finishing system of sealers with a VOC content no greater than 1.9 kg VOC/kg solids (1.9 lb VOC/lb solids), as applied, and topcoats with a VOC content no greater than 1.8 kg VOC/kg solids (1.8 lb VOC/lb solids), as applied;
- b. Acid Cured Alkyd Amino Topcoats and Sealers. If Respondent uses acid-cured alkyd amino vinyl sealers or acid-cured alkyd amino conversion varnish topcoats, Respondent shall use sealers and topcoats based on the following criteria:
1. If using acid-cured alkyd amino vinyl sealers and acid-cured alkyd amino conversion varnish topcoats, the sealer shall contain no more than 2.3 kg VOC/ kg solids (2.3 lb VOC/ lb solids), as applied, and the topcoat shall contain no more than 2.0 kg VOC/ kg solids (2.0 lb VOC/ lb solids), as applied; or
 2. If using a sealer other than an acid cured alkyd amino vinyl sealer and acid-cured alkyd amino conversion varnish topcoats, the sealer shall contain no more than 1.9 kg VOC/kg solids (1.9 lb VOC/lb solids), as applied, and the topcoat shall contain no more than 2.0 kg VOC/kg solids (2.0lb VOC/lb solids), as applied; or

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- 3. If using an acid-cured alkyd amino vinyl sealer and a topcoat other than an acid-cured alkyd amino conversion varnish topcoat, the sealer shall contain no more than 2.3 kg VOC/ kg solids (2.3 lb VOC/lb solids), as applied and the topcoat shall contain no more than 1.8 kg VOC/kg solids (1.8 lbVOC/lb solids), as applied.
- c. Booth Cleaning. Respondent shall limit VOC emissions from spray booth cleaning operations by using a strippable booth coating which contains no more than 0.8 kg VOC/ kg solids (0.8 lb VOC/ lb solids), as applied.

3. WORK PRACTICE STANDARDS

Respondent shall implement the following work practice standards and procedures:

- a. Work Practice Implementation Plan. Respondent shall prepare and maintain a written work practice implementation plan that defines work practices for each wood furniture manufacturing operation and addresses each of the topics specified in paragraphs B.3.b through B.3.j below. The plan shall be developed no more than 60 days from the issuance of this Consent Order. Respondent shall comply with each provisions of the work practice implementation plan. The written work practice implementation plan shall be available for inspection by the Department, upon request. If the Department determines that the plan does not adequately address each of the topics specified in the paragraphs below, the Department may require Respondent to modify the plan.
- b. Training. Respondent shall train all new and existing personnel, including contract personnel, who are involved in finishing, cleaning, or washoff operations or implementation of the requirements of this Consent Order. All new personnel, those hired after the final issuance date of this Consent Order, shall be trained upon hiring. All existing personnel, those hired before the final issuance date of this Consent Order, shall be trained within 6 months of the final issuance date of this Consent Order. All personnel shall be given refresher training annually. Respondent shall maintain a copy of the training program with the work practice implementation plan. The training program shall include, at a minimum, the following:
 - 1. A list of all current personnel by name and job description that are required to be trained;
 - 2. An outline of the subjects to be covered in the initial and refresher training for each position, or group of personnel;
 - 3. Lesson plans for courses to be given at the initial and the annual refresher training that include, at a minimum, appropriate application techniques, appropriate cleaning and washoff procedures, appropriate equipment setup and adjustment to minimize finishing material usage and overspray, and appropriate management of cleanup wastes; and

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4. A description of the methods to be used at the completion of initial and refresher training to demonstrate and document successful completion and a record of the date each employee is trained.
- c. Leak Inspection and Maintenance. Respondent shall prepare and maintain with the work practice implementation plan, a written leak inspection and maintenance plan that specifies:
1. A minimum visual inspection frequency of once per month for all equipment used to transfer or apply finishing materials or organic solvents;
 2. An inspection schedule;
 3. Methods for documenting the date and results of each inspection and any repairs that were made;
 4. The timeframe between identifying a leak and making the repair, which adheres to the following schedule:
 - i. A first attempt at repair shall be made no later than 5 working days after the leak is detected
 - ii. Final repairs shall be made within 15 working days, unless the leaking equipment is to be replaced by a new purchase, in which case repairs shall be completed within 3 months.
- d. Cleaning and Washoff Solvent Accounting System. Respondent shall develop an organic solvent accounting form to record:
1. The quantity and type of organic solvent used each month for washoff and cleaning;
 2. The number of pieces washed off and the reason for the washoff; and
 3. The net quantity of spent organic solvent generated from washoff and cleaning activities each month. The net quantity of spent solvent is equivalent to the total amount of organic solvent that is generated from the activities minus any organic solvent that is reused onsite for operations other than washoff and cleaning and any organic solvent that was sent offsite for disposal.
- e. Spray booth Cleaning. Respondent shall not use compounds containing more than 8.0% by weight of VOC for cleaning spray booth components other than conveyors, continuous coaters and their enclosures, and/or metal filters, unless the spray booth is being refurbished. If the spray booth is being refurbished through the replacement of the spray booth coating material used to cover the booth, Respondent shall use no more than 1.0 gallon of organic solvent to prepare the booth prior to applying the booth coating stated in paragraph B.2.c above.
- f. Storage. Respondent shall use normally closed containers for storing finishing, cleaning, and washoff materials.

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- g. Application Equipment. Respondent shall not use conventional air spray guns for applying finishing material except under the following circumstances:
 - 1. To apply finishing materials that have a VOC content no greater than 1.0 kg VOC/kg solids (1.0 lb VOC/lb solid), as applied;
 - 2. For touch-up and repair under the following circumstances:
 - i. The finishing materials are applied after completion of the finishing operation; or
 - ii. The finishing materials are applied after the stain and before any other type of finishing materials is applied, and the finishing materials applied with the conventional spray guns are from a container that has a volume of no more than 2.0 gallons.
 - 3. The conventional air gun is used to apply finishing materials and the cumulative total usage of those finishing materials applied with all conventional air guns is no more than 5.0 percent of the total gallons of finishing material used during that semiannual reporting period; and
 - 4. The conventional air gun is used to apply stain on a part for which it is technically or economically infeasible to use any other spray application technology. Respondent shall demonstrate technical or economic infeasibility by submitting to the Commissioner a videotape, a technical report, or other documentation that supports Respondent's claim of technical or economic infeasibility. The following criteria shall be used, either independently or in combination, to support Respondent's claim of technical or economic infeasibility:
 - A. The production speed is too high or the part shape is too complex for one operator to coat the part and the application station is not large enough to accommodate an additional operator; or
 - B. The excessively large vertical spray area of the part makes it difficult to avoid sagging or runs in the stain.
 - 5. Respondent must request in writing and receive written approval from the Commissioner prior to using conventional spray guns pursuant to paragraph B.3.g.4 above.
- h. Line Cleaning. Respondent shall pump or drain all organic solvent used for line cleaning into a normally closed container. Such normally closed container shall be fitted with a lid that has an opening no larger than a sufficient size for the line to fit in.
- i. Gun Cleaning. Respondent shall collect all organic solvent used to clean spray guns into a normally closed container.
- j. Washoff Operations. Respondent shall control emissions from washoff operations by:
 - 1. Using normally closed tanks for washoff; and
 - 2. Minimizing dripping by tilting or rotating the part to drain as much organic solvent as

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possible.

4. COMPLIANCE PROCEDURES AND MONITORING REQUIREMENTS

- a. Respondent shall demonstrate compliance with the VOC emission limitations identified in paragraph B.2 by using the following method:
 1. To demonstrate that each sealer, topcoat, and strippable booth coating material meet the requirements of paragraph B.2, Respondent shall maintain certified product data sheets for each of these materials. If solvent or other VOC is added to the finishing material before application, Respondent shall maintain documentation showing the VOC content of the finishing material as applied, in kg VOC/ kg solids (lb VOC/ lb solid).
- b. Initial Compliance. Respondent shall submit an initial compliance status report, as required by paragraph B.7.a, stating that compliant sealers, topcoats and strippable booth coatings are being used.
- c. Initial Compliance using Continuous Coaters. If Respondent uses continuous coaters, Respondent shall demonstrate initial compliance by submitting an initial compliance status report, as required by paragraph B.7.a. stating that:
 1. Compliant sealers and/or topcoats, as determined by the VOC content of the finishing material in the reservoir and the VOC content as calculated from records, are being used; or
 2. Compliant sealers and/or topcoats, as determined by the VOC content of the finishing material in the reservoir, are being used and the viscosity of the finishing material in the reservoir is being monitored. Respondent shall also provide data that demonstrates the correlation between the viscosity of the finishing material and the VOC content of the finishing material in the reservoir.
- d. Initial compliance with work practice standards. Respondent shall submit an initial compliance status report, as required by paragraph B.7.a, stating that the work practice implementation plan has been developed and procedures have been established for implementing the provisions of the plan.
- e. Continuous compliance demonstrations. Hithcock shall demonstrate continuous compliance by using compliant materials, maintaining records that demonstrate the materials are compliant, and submitting a compliance certification with the semiannual report required by paragraph B.7.b.

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1. The compliance certification shall state that compliant topcoat, sealers, and strippable booth coating materials have been used each day in the semiannual reporting period, or should otherwise identify the days of noncompliance and the reasons for noncompliance. Respondent is in violation of the standard whenever a noncompliant material, as determined by records or by a sample of the material, is used. Use of a noncompliant material is a separate violation for each day the noncompliant material is used.
 2. The compliance certification shall be signed by a responsible official of the company that owns or operates the facility.
- f. Continuous compliance using continuous coaters. If Respondent is applying sealers or topcoats using continuous coaters, Respondent shall demonstrate continuous compliance by following the procedures in 1 or 2 of this paragraph.
1. Using compliant materials, as determined by the VOC content of the finishing material in the reservoir and the VOC content as calculated from the records, and submitting a compliance certification with the semiannual report required by paragraph B.7.b.
 - A. The compliance certification shall state that compliant sealers and/or topcoats have been used each day in the semiannual reporting period, or should otherwise identify the days of noncompliance and the reasons for noncompliance. Respondent is in violation of the standard whenever a noncompliant material, as determined by records or by a sample of the finishing material, is used. Use of a noncompliant material is a separate violation for each day the noncompliant material is used.
 - B. The compliance certification shall be signed by a responsible official of the company that owns and operates the affected source.
 2. Using compliant materials, as determined by the VOC content of the finishing material in the reservoir, maintaining a viscosity of the finishing material in the reservoir that is no less than the viscosity of the initial finishing material by monitoring the viscosity with a viscosity meter or by testing the viscosity of the initial finishing material and retesting the material in the reservoir each time solvent is added, maintaining records of solvent additions, and submitting a compliance certification with the semiannual report required by paragraph B.7.b.
 - A. The compliance certification shall state that compliant sealers and/or topcoats, as determined by the VOC content of the finishing material in the reservoir, have

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been used each day in the semiannual reporting period. Additionally, the certification shall state that the viscosity of the finishing material in the reservoir has not been less than the viscosity of the initial finishing material, that is, the material that is initially mixed and placed in the reservoir, for each day in the semiannual reporting period.

- B. The compliance certification shall be signed by a responsible official of the company that owns or operates the facility.
 - C. Respondent is in violation of the standard when a sample of the as-applied finishing material exceeds the applicable limit established in paragraph B.2, as determined using EPA Method 24, or an alternative or equivalent method, or the viscosity of the finishing material in the reservoir is less than the viscosity of the initial finishing material.
- g. Respondent shall demonstrate continuous compliance with the work practice standards in paragraph B.3 by following the work practice implementation plan and submitting a compliance certification with the semiannual report required by paragraph B.7.b.
- 1. The compliance certification shall state that the work practice implementation plan is being followed, or should otherwise identify the periods of noncompliance with the work practice standards.
 - 2. The compliance certification shall be signed by a responsible official of the company that owns or operates the facility.

5. COATING PERFORMANCE TEST METHODS

- a. The EPA Method 24 (40 CFR Part 60) shall be used to determine the VOC content and the solids content by weight of the as supplied finishing materials. Respondent may request approval from the Commissioner to use an alternative or equivalent method for determining the VOC content of the finishing material. If it is demonstrated to the satisfaction of the Commissioner that a finishing material does not release VOC reaction byproducts during the cure (that is, no VOC is produced by the reaction), for example, all VOC is solvent, then batch formulation information shall be accepted. In the event of any inconsistency between an EPA Method 24 test and a facility's formulation data, that is, if the EPA Method 24 value is higher, the EPA Method 24 test shall govern. Sampling procedures shall follow the guidelines presented in "Standard Procedures for Collection of Coating and Ink Samples for VOC content analysis by Reference Method 24 and Reference Method 24 A," EPA- 340/1-91-010.

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6. RECORDKEEPING REQUIREMENTS

- a. Respondent shall maintain at the facility records of the following:
 - 1. A certified product data sheet for each finishing material and strippable booth coating material subject to the emission limitations in paragraph B.2.
 - 2. The VOC content, kg VOC/kg solids (lbVOC/lb solids), as applied for each finishing material and strippable booth coating material subject to the emissions limitations in paragraph B.2 and copies of data sheets documenting how the as applied values were determined.

- b. If Respondent is applying sealers or topcoats using continuous coaters, Respondent shall maintain the records required by paragraph B.6.a of this Consent Order and records of the following:
 - 1. Solvent and finishing material additions to the continuous coater reservoir; and
 - 2. Viscosity measurements.

- c. Respondent shall maintain on site the work practice implementation plan and all records associated with fulfilling the requirements of that plan, including, but not limited to:
 - 1. Records demonstrating that the operator training program is in place;
 - 2. Records maintained in accordance with the inspection and maintenance plan;
 - 3. Records associated with the cleaning solvent accounting system;
 - 4. Records associated with the limitation on the use of conventional air spray guns showing total finishing material usage and the percentage of finishing materials applied with conventional air spray guns for each semiannual reporting period;
 - 5. Records showing the VOC content of compounds used for cleaning booth components, except for solvent used to clean conveyors, continuous coaters and their enclosures, and /or metal filters; and
 - 6. Copies of logs and other documentation developed to demonstrate that the other provisions of the work practice implementation plan are followed.

- d. In addition to the records required by paragraph B.6.c above, Respondent shall maintain a copy of the compliance certifications submitted in accordance with paragraph B.4 for each semiannual period following the compliance date.

- e. Respondent shall maintain a copy of all other information submitted with the initial status report required by paragraph B.7.a and the semiannual reports required by paragraph B.7.b.

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- f. Respondent shall maintain all records at the facility for a minimum of five years.

7. REPORTING REQUIREMENTS

- a. Respondent shall submit an initial compliance report no later than 60 days after the final issuance date of this Consent Order. The report shall include the items required by paragraph B.4.b B.4.c, B.4.d., and B.13 of this Consent Order.
- b. Respondent shall submit a semiannual report covering the previous six months of wood furniture manufacturing operations according to the following schedule:
1. The first report shall be submitted 30 calendar days after the end of the first 6-month period following the final issuance date of this Consent Order.
 2. Subsequent reports shall be submitted within 30 calendar days after the end of each 6-month period following the first report.
 3. Each semiannual report shall include the information required by paragraphs B.4.e, B.4.f, a statement of whether Hitchcock was in compliance or noncompliance, and if Hitchcock was in noncompliance, the measures taken to bring the Respondent into compliance, and the certification statement required by paragraph B.13 of this Consent Order.
8. Testing. Except as otherwise provided in this Consent Order or by the Commissioner in writing, all emission testing or sample collection and analyses required under this Consent Order shall be conducted and reported as follows: Within 30 days after being notified by the Commissioner that emission testing or sample analyses is required, Respondent shall submit to the Commissioner for his review and written approval an Intent To Test ("ITT") protocol for such emissions testing or sample analyses. The ITT protocol shall include at least:
- a. The Department's Bureau of Air Management Test Form No. 1, "Intent to Test";
 - b. A detailed description of all aspects of facility operations (e.g., type and quantity of raw materials utilized) and of any air pollutant control equipment in use (e.g., screen mesh size, control equipment efficiency) which may affect testing results, and how and when such information will be monitored;
 - c. A detailed description of each emissions testing or sample collection and analyses methodology to be utilized, provided that all such methodologies shall conform to those approved by the U.S. Environmental Protection Agency and the Commissioner; and

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- d. A description of each discharge point at which emissions testing is to be conducted or a description of each coating material for which a sample collection and analyses will be performed.

Respondent shall provide to the Commissioner any information that the Commissioner deems necessary to review Respondent's ITT Test Protocol. Within 30 days after the Commissioner approves an ITT protocol, Respondent shall complete testing or sample collection and analyses in accordance therewith. Respondent shall schedule all testing or sample collection and analyses so as to allow the Commissioner to be present during such event and to independently verify relevant facility operations, air pollution control equipment parameters, and testing, sampling or analytical procedures. Within 30 days after completing any testing or sample analyses required by this Consent Order, Respondent shall submit to the Commissioner a written report providing the results of such testing or sample analyses; within 15 days of a notice from the Commissioner indicating any deficiencies in such report, Respondent shall submit a revised report.

9. Full compliance. Respondent shall not be considered in full compliance with this Consent Order until all actions required by this Consent Order have been completed as approved and to the Commissioner's satisfaction.
10. Approvals. Respondent shall use best efforts to submit to the Commissioner all documents required by this Consent Order in a complete and approvable form. If the Commissioner notifies Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and Respondent shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within 30 days of the Commissioner's notice of deficiencies. In approving any document or other action under this Consent Order, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this Consent Order. Nothing in this paragraph shall excuse noncompliance or delay.
11. Definitions. As used in this Consent Order, "Commissioner" means the Commissioner or a representative of the Commissioner. The date of "issuance" of this Consent Order is the date the Consent Order is deposited in the U.S. mail or personally delivered, whichever is earlier. All other terms in this Consent Order shall be defined in accordance with Appendix A of this Consent Order, which is attached hereto and incorporated herein, and Section 22a-174-1 and Section 22a-174-32 of R.C.S.A.
12. Dates. The date of submission to the Commissioner of any document required by this

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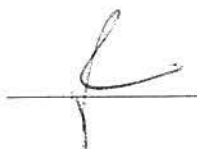
Consent Order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this Consent Order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this Consent Order, the word "day" as used in this Consent Order means calendar day. Any document or action which is required by this Consent Order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.

13. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this Consent Order shall be signed by Respondent or, if Respondent is not an individual, by Respondent's chief executive officer or a duly authorized representative of such officer, as those terms are defined in §22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual(s) responsible for actually preparing such document, and Respondent or Respondent's chief executive officer and each such individual shall certify in writing as follows:

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information is punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law."

14. Noncompliance. This Consent Order is a final order of the Commissioner with respect to the matters addressed herein, and is nonappealable and immediately enforceable. Failure to comply with this Consent Order may subject Respondent to an injunction and penalties.
15. False statements. Any false statement in any information submitted pursuant to this Consent Order is punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.
16. Notice of transfer; liability of Respondent. Until Respondent has fully complied with this Consent Order, Respondent shall notify the Commissioner in writing no later than 15 days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this Consent Order or after obtaining a new mailing or location address. Respondent's obligations under this Consent Order shall not be affected by the passage of title to any property to any other person or municipality.

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17. Commissioner's powers. Nothing in this Consent Order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for past, present, or future violations of law. If at any time the Commissioner determines that the actions taken by Respondent pursuant to this Consent Order have not successfully corrected all violations, fully characterized the extent or degree of any pollution, or successfully abated or prevented pollution, the Commissioner may institute any proceeding to require Respondent to undertake further investigation or further action to prevent or abate violations or pollution.
18. Respondent's obligations under law. Nothing in this Consent Order shall relieve Respondent of other obligations under applicable federal, state and local law.
19. No assurance by Commissioner. No provision of this Consent Order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by Respondent pursuant to this Consent Order will result in compliance or abate pollution.
20. Access to facility. Any representative of the Department of Environmental Protection and the Environmental Protection Agency may enter the facility without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this Consent Order.
21. No effect on rights of other persons. This Consent Order neither creates nor affects any rights of persons or municipalities that are not parties to this Consent Order.
22. Notice to Commissioner of changes. Within 15 days of the date Respondent becomes aware of a change in any information submitted to the Commissioner under this Consent Order, or that any such information was inaccurate or misleading or that any relevant information was omitted, Respondent shall submit the correct or omitted information to the Commissioner.
23. Notification of noncompliance. In the event that Respondent becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this Consent Order or of any document required hereunder, Respondent shall immediately notify by telephone the individual identified in the next paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the initial notice, Respondent shall submit in writing the date, time, and duration of the noncompliance and the reasons for the noncompliance or delay and propose, for the review and written

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Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.

24. Submission of documents. Any document required to be submitted to the Commissioner under this Consent Order shall, unless otherwise specified in this Consent Order or in writing by the Commissioner, be directed to:

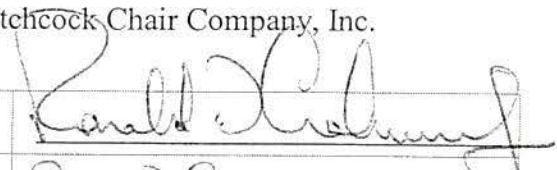
Supervisor
Department of Environmental Protection
BUREAU OF AIR MANAGEMENT
Compliance Analysis and Coordination Unit
79 Elm Street
Hartford, Connecticut 06106-5127

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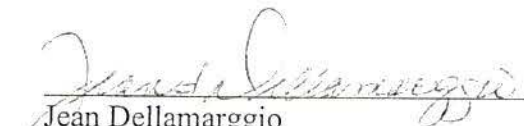
Date: 2-19-02

Respondent consents to the issuance of this Consent Order without further notice. The undersigned certifies that he/she is fully authorized to enter into this Consent Order and to legally bind the Respondent to the terms and conditions of the Consent Order.

Hitchcock Chair Company, Inc.

Signature:	
Name:	<u>Ronald J. Coleman Jr.</u>
Title:	<u>PRESIDENT</u>
Date:	<u>3-19-02</u>

Issued as a Final Decision on April 15, 2002 in resolution of appeal of Order 8229.


 Jean Dellamarggio
 Hearing Officer

TOWN OF PLEASANT VALLEY LAND RECORD

MAILED CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Certified Document No. 7001 0360 0003 0796 1957