





**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Van Wert County
Breese Trucking Company
Notice of Violation (NOV/non-HPV)

January 25, 2012

CERTIFIED MAIL

Mr. Brandon Breese
Breese Trucking Company
13818 Bevington Road
Ohio City, Ohio 45874

Dear Mr. Breese:

This letter shall serve as a follow-up to the complaint investigation that was conducted on December 5, 2011, at the Breese Trucking Company located in the bus garage behind the old elementary school building on 305 South Shane Street in Ohio City, Ohio. On November 30, 2011, The Ohio Environmental Protection Agency's (Ohio EPA) Division of Air Pollution Control (DAPC) received a complaint regarding a bad smell and smoke from the burning of railroad ties. My colleague, Mr. Mohammad Smidi, and I inspected the bus garage to investigate the odor and smoke complaint, and to determine the compliance status of all air contaminant sources operating at the facility with rules and regulations of the DAPC.

Based on our discussion and my observations during the inspection, the findings are as follows:

1. Two burners are in use in the bus garage facility. The burners are small barrels mounted on their sides and are approximately 18 inches in diameter and 30 inches long. They exhaust to a common stack which is six inches in diameter. The burners provide space heat in the garage.
2. Waste oil is the fuel used in the burners.
3. An instantaneous reading of the smoke from the burners' common stack gave 50 percent opacity from black smoke.
4. The two burners in the bus garage were installed without first obtaining a Permit to Install and Operate (PTIO) in violation of Ohio Administrative Code (OAC) rule 3745-31-02(A) and Ohio Revised Code (ORC) 3704.05.

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5. If the facility chooses to continue to operate the two burners in the bus garage, the facility will need to submit an application for and obtain a PTIO. A blank PTIO application and respective emission activity category (EAC) forms are enclosed with this letter. Also required are emissions calculations and a process flow diagram to aid the processing of the application.
6. Approximately 2000 used railroad ties are stacked behind the old school building. The railroad ties are burned in an outdoor wood boiler at your home which is located at 13818 Bevington Road, Ohio City, OH 45874.
7. An outdoor wood boiler can be fired only by fuel recommended by the manufacturer. Burning of any other substances meets the definition of incineration which is regulated under OAC 3745-17-09. If the wood boiler is operated as an incinerator, it will also need a permit and DAPC will require emissions testing to demonstrate that it can meet the OAC 3745-17-09(B) emission limit of 0.10 pounds of particulate emissions per one hundred pounds of refuse charged (0.10 lb/100 lb charged). However, as it was installed without an afterburner, it is unlikely to be able to meet the 0.10 lb/100 lb charge emission limit.

Ohio EPA has an Office of Compliance Assistance and Pollution Prevention (OCAPP) that provides assistance to facilities in complying with environmental regulations. They can also assist in compiling the information referenced above. You can find additional information on this office at their website at <http://www.epa.ohio.gov/ocapp> or by calling OCAPP at 1-800-329-7518. The OCAPP representative at this office is Mr. Ron Nabors and can be contacted at (419) 373-3141 or at ron.nabors@epa.ohio.gov.

Ohio EPA requests a written response to this letter, including a plan for bringing the burners into compliance with Ohio EPA rules and regulations. This information should be submitted to Carol Norman in this office by **February 24, 2012**. Please note that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

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If you have any questions or comments concerning this letter, you can contact me by phone at (419) 373-3141 or by e-mail at carol.norman@epa.state.oh.us

Sincerely,



Carol Norman, PhD, PE
Division of Air Pollution Control

/llr

Enclosures

pc: DAPC-NWDO File: Van Wert County
Tom Kalman, CO DAPC
William MacDowell, USEPA Region 5
Certified Mail Receipt Number 7009 1680 0002 4297 2582

ec: Jennifer Jolliff, NWDO DAPC
Ron Nabors, NWDO OCAPP
Mohammad Smidi, NWDO DAPC
Carol Norman, NWDO DAPC

