



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

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

Re: Seneca County  
BR Pallet  
21395 County Road 7  
Alvada, OH 44802  
Notice of Violation (NOV)

August 7, 2008

Mr. Bryan Reulhe  
BR Pallet  
P.O. Box 68  
Alvada, Ohio 44802

Dear Mr. Reulhe:

This letter shall serve as a follow-up to the inspection conducted on July 31, 2008, at the above referenced facility. The purpose of the inspection was to determine the compliance status of all air contaminant sources operating at your facility. The Division of Air Pollution Control (DAPC) at the Northwest District Office (NWDO) has not inspected this facility in the past and has not record of its existence.

Based on my discussions with your father, Carl, and DeWayne, as well as my observations during the inspection, the findings can be summarized as follows:

1. The facility started operation as BR Pallet as early as 1990. The company produces mulch made from ground pallets. In the production process, it operates several air contaminant sources that may require permitting.
2. There are the unpaved roadways where no fugitive dust control measures are employed. As this was explained in detail during the inspection, facilities with roadways of this kind are required to apply for a Permit to Install (PTI) and a Permit to Operate (PTO) and control the dust emissions from them. The company having failed to do this is in violation of Ohio Administrative Code (OAC) rule 3745-31-02. In order to bring this matter to resolution, the company is required to apply for a PTIO for the unpaved roadways.
3. The facility is also in violation of installing and operating a 500 horsepower grinder. As explained during the inspection, there are two additional grinders (325 horsepower each) that have not been utilized in the past couple of years. The 500 hp grinder was purchased two years ago and has been used exclusively. The company is required to submit a PTIO application for the 500 horse grinder. If either of the two additional grinders will operate in the future, a PTIO application is required prior to operation.

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Please note that, the operation of these types of grinders, without controlling the emissions of air contaminants, may result in additional violations. In the company's response, please include the operating schedule of the grinder so that we can witness its operation.

4. The facility also operates a coloring machine. It was not clearly ascertained whether this emissions unit would require a PTIO. The facility is required to submit emission calculations in lieu of a PTIO application if emissions are considered de minimis as defined in OAC rule 3745-15-05.
5. As a reminder to what was stated during the inspection, Ohio EPA has a Small Business Assistance office. This office may be able to assist you in coming into compliance with the rules and regulations of DAPC. You can find additional information on this office at their website at <http://www.epa.state.oh.us/ocapp/ocapp.html> or by calling the Office of Compliance Assistance and Pollution Prevention (OCAPP) at 1-800-329-7518.

Please submit the information detailed above by no later than October 3, 2008. 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.

If you have any questions and/or comments about this letter, please feel free to contact me electronically at [mohammad.smidi@epa.state.oh.us](mailto:mohammad.smidi@epa.state.oh.us) or call me at (419) 373-3118.

Sincerely,



Mohammad Smidi  
Environmental Specialist  
Division of Air Pollution Control

/llr

pc: Don Waltermeyer, DAPC/NWDO  
Lisa Holscher, US EPA Region V  
Tom Kalman, DAPC/CO  
DAPC/NWDO File 