



**Environmental  
Protection Agency**

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

Re: Marion County  
Na-Churs Alpine Solutions  
Facility ID #0351010021  
Notice of Violation  
(NOV/non-HPV)

June 4, 2012

**CERTIFIED MAIL**

Mr. Greg Bame, Technical Services Director  
Na-Churs Alpine Solutions  
421 Leader Street  
Marion, Ohio 43302

Dear Mr. Bame:

This letter shall serve as a follow-up to the complaint investigation on April 23, 2012, and subsequent e-mail correspondences and phone conversations that have occurred regarding the above-referenced facility. A complaint was lodged against Na-Churs Alpine Solutions (herein referred to as Na-Churs) on April 17, 2012, regarding an overpowering ammonia odor in the air. The reason for the site visit was to determine the compliance status of the emission units that operate at Na-Churs with the rules and regulations of Division of Air Pollution Control (DAPC).

The findings of the investigation are based on information provided during the site visit, observations during the site visit and a review of DAPC records. These findings are summarized as follows:

1. Na-Churs is a specialty chemical company that markets, formulates and distributes liquid nutrient materials. This company started business in Marion, Ohio in 1946 and moved to its existing location around 1986.
2. The odors alleged on the date of the complaint have been corroborated and the complaint is considered to be justified.
3. Na-Churs conducted stack testing of the liquid fertilizer mixing system that was installed in 2003 (reactor number 2, identified as emissions unit P002). The reason that stack testing was required was to measure ammonia emissions from this air contaminant source due to a number of complaints. Stack tests were conducted on March 5, 2003, June 12, 2003 and October 23, 2003, on P002.

Reactor #2 [emissions unit P002] was initially permitted under Permit to Install (PTI) #03-13667 on April 4, 2002 with Reactor #1 [emissions unit P001] but it appears that P001 was never installed. There is no documentation to that end so please verify that is the case. The PTI required Na-Churs to conduct stack testing to demonstrate compliance with the mass emission rate of organic compounds within six months following start-up of the emissions unit. Although the testing was not conducted within the required timeframe of the PTI, testing has nonetheless been conducted.

4. PTI #03-13667 requires Na-Churs in the General Terms and Conditions (#13) to submit a complete operating permit application within thirty days after commencing operation of the emissions unit covered by this permit. There is no record of an operating permit application submitted thereby resulting in Na-Churs being in violation of this term and condition, Ohio Administrative Code (OAC) rule 3745-31-02 as well as ORC §3704.05. It is incumbent upon Na-Churs to submit a Permit to Install and Operate (PTIO) application for this emissions unit pursuant to OAC rule 3745-31-02 in order to rectify this violation.
5. The stack testing of Reactor #2 in 2003 demonstrated that ammonia emissions vary widely from test to test. Based on the information provided during the site visit, there was no upset in the system or a malfunction to report on April 17, 2012, when the complaint was lodged and the fire department came out twice to investigate the odor. Can the facility provide an explanation as to why the emissions unit would have been a source of complaints on that day in specific?
6. A list of storage tanks and respective capacities are necessary as well as what emissions would be coming from these units in order to determine whether any of the units require permitting.
7. There is a PTI (03-16296 issued on July 14, 2005) for Reactor #2R which was installed July 28, 2005. This PTI required Na-Churs to conduct stack testing to demonstrate compliance with the mass emission rate of organic compounds within six months following start-up of the emissions unit. This testing has yet to be performed. Therefore, Na-Churs is in violation of not having complied with the testing requirements in PTI #03-13667 as well as in violation of ORC §3704.05.

The information requested above should be submitted to my attention by no later than July 9, 2012. Please be advised that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make a 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 and/or concerns regarding this letter, please feel free to call me at (419) 373-3118 or e-mail at [mohammad.smidi@epa.state.oh.us](mailto:mohammad.smidi@epa.state.oh.us).

Sincerely,



Mohammad Smidi  
Environmental Specialist  
Division of Air Pollution Control

/llr

pc: DAPC-NWDO File  
Certified Mail Receipt

ec: Andrea Moore, DAPC-NWDO  
Bruce Weinberg, DAPC-CO  
Chad E. Stallsmith  
David E. Rose  
Erin Shalabe, DAPC-NWDO  
Greg Bame,  
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