



west virginia department of environmental protection

Division of Air Quality
601 57th Street
Charleston, WV 25304
(304) 926-0475

Howard D. Ward, Cabinet Secretary
dep.wv.gov

September 18, 2023

CERTIFIED MAIL

Article # 9489 0090 0027 6485 9829 12

Gregg G. Frazier, President
REO Processing Inc.
1 Solutions Way
Waynesboro, Virginia 22980

RE: NOTICE OF VIOLATION(S)
REO Processing, Inc
Huntington Warehouse Operations
Facility ID: 011-00243

Dear Mr. Frazier:

On September 14, 2023, personnel from the West Virginia Division of Air Quality (“DAQ”) conducted an inspection of the REO Processing Inc., Huntington Warehouse (“Facility” or “Company”), located at 20 26th Street, Huntington, West Virginia. The inspection was performed in response to citizen complaints alleging black particulate matter (“PM”) being generated at the Facility was migrating offsite and coating their residential properties.

Based on findings during the inspection, it was confirmed that black PM residues from the Facility are migrating offsite in an amount sufficient to adversely affect the health, well-being, and property of the surrounding community. Further, while on the Facility premises at approximately 11:15 A.M. the day of the inspection, significant fugitive PM emissions to the open air were observed during the loading of activated carbon supersacks to a bulk trailer, which is one suspected cause and source of the residential PM residues.

As a result of these findings, REO Processing Inc. is in violation of West Virginia Code §§ 22-5-3 and West Virginia Legislative Rule 45CSR17 (“Rule 17”), “To Prevent and Control Particulate Matter Air Pollution from Materials Handling, Preparation, Storage and Other Sources of Fugitive Particulate Matter”. In particular, the Company is in violation of Rule 17, subsection 3.1, which states: “No person shall cause, suffer, allow or permit fugitive particulate matter to be discharged beyond the boundary lines of the property on which the discharge originates or at any public or residential location, which causes or contributes to statutory air pollution.”

A written response to this Notice of Violation is required from your Company within ten (10) calendar days after receipt. The following information must be in your response to the Notice of Violation:

- (1) A detailed explanation of the cause(s) of the condition(s) leading to the cited violation or a description of the action(s) being taken to ascertain the cause(s) for noncompliance.
- (2) A statement of how long the condition(s) has existed.
- (3) A detailed explanation of the remedial measures that have been taken and will be taken to address the causes of noncompliance. For any remedial measure(s) not yet taken, provide expected date(s) for completion. If all remedial measures have been completed, provide the date that the Company believes that compliance with air quality requirements was achieved.

Please be aware that any person who knowingly misrepresents any material fact in an application, record, report, plan, or other document filed or required to be maintained under the provision of West Virginia Code 22-5-1, et seq., or any rules promulgated thereunder, is guilty of a misdemeanor and, upon conviction, shall be fined not more than twenty-five thousand (\$25,000) dollars for each day of such violation or imprisoned in the county jail not more than one year or both fined and imprisoned.

Further, please note that for purpose of the foregoing, violations on separate days are separate offenses.

Please sign and email your response to: DepAirQualityReports@WV.Gov, with Attn: Jesse D. Adkins, Assistant Director, in the subject line.

The Division looks forward to your timely written response to this Notice of Violation.

Laura M. Crowder
Director

cc: Hallie Orr, Plant Manager (*email only*)