



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: Marion County
0351010207
Stack Test
HPV-GC8
Notice of Violation

July 31, 2009

CERTIFIED MAIL

Rafe Christopherson
POET Biorefining – Marion
1660 Hillman-Ford Road
Marion, Ohio 43302

Dear Mr. Christopherson:

The stack test conducted on April 21-23, 2009, on Ohio EPA emissions unit Nos. P002-10 and P901, has been reviewed. The testing was conducted in conformance with Ohio EPA methods and procedures. Our review confirms the following reported data is accurate:

**Critical Test Data
(In Three Run Averages)**

Emission Unit(s)	Pollutant	Actual Emission Rate	Allowable Emission Rate	Source Operating Rate	Maximum Source Operating Rate
P002-6	PM ₁₀	0.0025 gr/dscf*	0.004 gr/dscf*	104.4 TPH	100 TPH
P007	VOC	13.3 lbs/hr as ethanol 98.1% control efficiency	30.76 lbs/hr 95% control efficiency	685 gpm	720 gpm
P007-9	PM/PM ₁₀	4.2 lbs/hr**	6.9 lbs/hr**	711 gpm	720 gpm
P007-9	NO _x	4.74 lbs/hr**	11.0 lbs/hr**	711 gpm	720 gpm
P007-9	CO	8.4 lbs/hr**	10.47 lbs/hr**	711 gpm	720 gpm
P007-9	VOC	4.2 lbs/hr as ethanol** 99.12% DRE	10.34 lbs/hr** 98% DRE	711 gpm	720 gpm
P010	PM ₁₀	0.0006 gr/dscf	0.004 gr/dscf	24.8 TPH DDGS	23 TPH DDGS
P010	VOC	6.0 lbs/hr	5.0 lbs/hr	24.8 TPH DDGS	23 TPH DDGS
P901	PM ₁₀	0.0009 gr/dscf	0.004 gr/dscf	780.4 TPH	840 TPH

*P002-P006 combined

** P007-9 combined

Also, the following parameters were recorded during the testing of the following emission units:



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Emission Unit	
P007	Pressure Drop Across Scrubber: 1.9 inches H ₂ O Scrubber Water Flow Rate: 35.0 gpm
P007-9	Average RTO Temperature: 1673°F

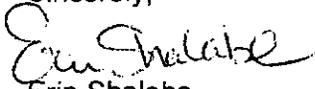
Emissions unit P010 was being operated in violation of its allowable emissions rate for VOC (violation of the Permit to Install term and condition A.1, OAC rule 3745-31-05(C), and Ohio Revised Code 3704.05). It will therefore be necessary to retest this unit.

This office is requesting that the facility submit a written response to this letter which includes, at a minimum, a compliance plan and schedule which details the mechanism(s) and the time frame necessary to bring emissions unit P010 into compliance. At a minimum, this plan should include proposed milestone dates by which the compliance problem(s) are identified and resolved, and when a retest on this emissions unit will occur. Also include in the compliance plan justification for the higher source operating rates and whether the rates achieved during the test affect the potential emissions from emissions unit P010. Please submit this compliance plan by August 28, 2009.

Please note that the submission of the requested information to respond to this letter does not constitute a waiver of the 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.

Please contact me as soon as possible regarding this matter at (419) 373-4110. Thank you.

Sincerely,



Erin Shalabe
Division of Air Pollution Control

/lb

pc: Don Waltermeyer, DAPC-NWDO
Erin Shalabe, DAPC-NWDO
Tom Kalman, DAPC-NWDO
Robert Teer, DAPC-NWDO
Tom Sattler, DAPC-NWDO
Lisa Holscher, US EPA
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Stack File
Follow-up File
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ec: Wendy Licht
Elissa Hartfield

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PS Form 3800, August 2006 See Reverse for Instructions

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1. Article Addressed to:
 Mr. Mike Christopherian
 POET - Bowling Green
 1660 Hillman Blvd
 Bowling Green OH 43302

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From: Erin Shalabe
To: Shalabe, Erin
Date: 08/26/2009 10:45 AM
Subject: Fwd: NOV Extension

>>> Erin Shalabe 08/26/2009 10:45 AM >>>
Hello Rafe-

I am writing as a follow-up to your voice mail message regarding the request for an extension to the facility's NOV dated July 29, 2009. In the NOV the facility is required to submit a compliance plan by August 28, 2009. The NWDO is therefore granting the facility's request for an extension. Please submit the required information by September 11, 2009.

If you have any further questions or concerns please do not hesitate to contact me at this email address or by phone at 419-373-4110.

Sincerely,
Erin Shalabe
Ohio EPA
NWDO, DAPC