



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
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
0374010235
POET Biorefining
Stack Test
HPV-GC8
Notice of Violation

June 30, 2009

CERTIFIED MAIL

Mr. Gary Livecchi
POET Biorefining – Fostoria
2111 Sandusky Street
Fostoria, Ohio 44830

Subject: Notification of stack test review, Notice of Violation, and request for information by July 31, 2009.

Dear Mr. Livecchi:

The stack test conducted on March 24-26, 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	Pollutant	Actual Emission Rate	Allowable Emission Rate	Source Operating Rate	Maximum Source Operating Rate
P002-6	PM ₁₀	0.0016 gr/dscf*	0.004 gr/dscf*	98 TPH	100 TPH
P007	VOC	95.7% control efficiency	95% control efficiency	690 GPM	720 GPM
P007-9	PM ₁₀	3.22 lbs/hr**	6.93 lbs/hr**	670 GPM	720 GPM
P007-9	NO _x	4.35 lbs/hr**	11.0 lbs/hr**	670 GPM	720 GPM
P007-9	CO	8.74 lbs/hr**	10.47 lbs/hr**	670 GPM	720 GPM
P007-9	VOC	5.1 lbs/hr** 98.7% DRE	10.34 lbs/hr** 98% DRE	670 GPM	720 GPM



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Emission Unit	Pollutant	Actual Emission Rate	Allowable Emission Rate	Source Operating Rate	Maximum Source Operating Rate
P010	PM ₁₀	0.0009 gr/dscf	0.004 gr/dscf	24.9 TPH DDGS	23 TPH DDGS
P010	VOC	7.28 lbs/hr, as ethanol	5.0 lbs/hr	24.9 TPH DDGS	23 TPH DDGS
P901	PM ₁₀	0.00023 gr/dscf	0.004 gr/dscf	887.3 TPH	840 TPH

*P002-P006 combined **P007-P009 combined

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

Special Parametric Monitoring Conditions

Emission Unit	
P007	Scrubber Pressure Drop: 2.73 inches of water Scrubber Water Flow Rate: 75 GPM
P007-P009	Average RTO Temperature: 1659.2 °F Scrubber Water Flow Rate: 25 gpm

Emissions unit P010 was being operated in violation of its allowable emissions rate for VOC. This is a violation of the Permit to Install term and condition A.1, OAC rule 3745-31-05(A)(3), and Ohio Revised Code 3704.05. In addition, emissions units P010 and P901 were operated at rates greater than the facility's permit application reflected.

This office is requesting that the facility submit 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 units P010 and P901. Please submit this compliance plan by July 31, 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.

The company must submit a compliance plan and schedule which details the mechanism(s) and the time frame necessary to bring this emissions unit 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.

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Please contact me as soon as possible regarding this matter at (419) 373-3052.

Sincerely,

Andrea Odendahl

Andrea Odendahl
Division of Air Pollution Control

//lr

pc: Don Waltermeyer, DAPC-NWDO
Andrea Odendahl, DAPC-NWDO
Tom Kalman, DAPC-NWDO
Robert Teer, DAPC-NWDO
Tom Sattler, DAPC-NWDO
Lisa Holscher, US EPA
DAPC-NWDO File
Stack File
NWDO Follow-up File
Certified Receipt Number 7007 2560 0000 4

ec: Wendy Licht, DAPC-NWDO
Elissa Hartfield, DAPC-NWDO

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R: <i>ANDREA ODENDAHL</i>	
CITY: <i>WINDYBROOK, OHIO</i>	
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1. Article Addressed to:

*MR GARY LIVECCHI
Post Building - Fosteria
2111 Sandusky Street
Fostoria, Ohio 44830*

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