



State of Ohio Environmental Protection Agency

Northwest District Office

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

July 7, 2008

CERTIFIED MAIL
7006 0100 0004 1318 4177

Mr. Ron Miller
Midwest Spray Drying
3745 Shawnee Rd., Ste 105
Lima, OH 45806

RE: Notice of Violation (NOV) for failure to report control equipment malfunction in accordance with OAC rule 3745-15-06 for emissions unit P001

Dear Mr. Miller:

This letter shall serve as a follow-up to the site visit conducted on May 7, 2008 of the Midwest Spray Drying (Midwest) facility by Jan Tredway, Brian Riedmaier and this writer. The purpose of the visit was to investigate a complaint that was received on May 7, 2008 stating that Midwest was causing a nuisance by depositing a white powder material on nearby vehicles between the evening of May 5 and the later morning of May 6, 2008.

After speaking with the complainant, we visited the Midwest facility unannounced. We spoke with Dave Renner, who explained that the facility started drying a perishable whey product in its spray dryer, emissions unit P001, on May 5, 2008. It was only when we asked to see the scrubber room that we were told that the control was not being used. The facility was operating the spray dryer and only venting its airflow through the small scrubber tank on the roof because the exhaust fan after to the scrubber room stack had deteriorated to the point that it would not function. Mr. Renner stated that Midwest was operating at a lower process throughput during the run because of the loss of "fan pull" and that they chose to operate without the scrubber room to prevent the whey product from spoiling. To correct the problem, a replacement fan had been purchased and was to be installed the following week.

Ohio EPA has determined that Midwest operated in violation of OAC rule 3745-15-06 and ORC 3704.05 when it operated emissions unit P001 from May 5 until May 8, 2008, without venting through the scrubber room and failed to notify the Northwest District Office (NWDO) of a control equipment malfunction.

For the record, complaints were also received on May 22 and May 29 claiming vehicles were "coated" with a powdery coating. When contacted, Midwest stated that they were operating both of those days and the scrubber room control was operating at the time of the complaints. The scrubber room fan had been replaced the week of May 12. NWDO reviewed meteorological data and concluded that Midwest was the probable cause for May 22, but not for May 29 due to wind direction and wind speed at the time of the complaint.

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NWDO expressed concern at whether the control equipment used to control emissions from P001 was operating properly since the exhaust fan was replaced and the scrubber room was operating at the time of the May 22 complaint. Based on conversations with Midwest, a scrubber manufacturer has evaluated the current control equipment and recommended upgrading the scrubber room with a new scrubber and mist eliminator. The proposed upgrade should provide better control of particulate emissions and organic compounds. Once the company has more information, a meeting will be held to address implementation timeframes.

It should also be noted that when NWDO visited the facility, it was observed that Midwest injects dilute sodium hypochlorite in the scrubber room, as opposed to the spray dryer exhaust prior to the inlet of the scrubber tank, as required by permit-to-install 03-13894, issued September 4, 2007. It appeared that Midwest did attempt this at one time but abandoned the effort.

Until the time when a decision is made regarding possible new control equipment upgrades, Ohio EPA considers the action of replacing the scrubber room exhaust fan sufficient for resolving the malfunction violation. However, Ohio EPA requests that Midwest be prepared to discuss the sodium hypochlorite injection site as it relates to the permit at the time of our meeting.

Please note that 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 or pursue or decline such penalties regarding this matter at a later date.

Should you have any questions or comments regarding this letter, please feel free to contact me at (419)373-4112 or by e-mail at jennifer.jolliff@epa.state.oh.us.

Sincerely,



Jennifer L. Jolliff
Division of Air Pollution Control

JLJ/csl

pc: Don Waltermeyer, NWDO, DAPC
Tom Kalman, CO, DAPC
Lisa Holscher, US EPA
NWDO Correspondence File

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1. Article Addressed to:

MR RON MILLER
MIDWEST SPRAY DRYING
3745 SHAWNEE RD SUITE 105
LIMA OH 45806

DAPC/J. Jolliff/csl

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Ronald R. Miller

Agent

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