



State of Ohio Environmental Protection Agency

Northwest District Office

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November 3, 2009

Ms. Melissa Farrington, Environmental Health Admin.
The Andersons, Inc.
P.O. Box 119
Maumee, Ohio 43537

RE: Resolution to Notice of Violation issued to Mineral Processing (0388000025) on April 29, 2008 for emissions unit P901

Dear Ms. Farrington:

This letter shall serve to resolve the Notice of Violation (NOV) issued to the above referenced facility on April 29, 2008. The violation cited in the letter was based on revised 2007 quarterly deviation reports that were received on March 3, 2008. Those reports demonstrated that emissions unit P901, a pelletized mineral processing line, exceeded both rolling, 12-month finished feed throughput restrictions and rolling, 12-month OC emission limitations.

Mineral Processing actually submitted a permit-to-install modification request (PTI 03-17400) for P901 on November 27, 2007, in anticipation of a possible exceedence in 2008. The facility performed a review of its records once the application was submitted and a recordkeeping error was discovered that caused the OC and throughput deviations that were reported. The company took action to correct the recordkeeping error prior to the NOV's issuance. Ohio EPA issued PTI 03-17400 as a final permit on July 9, 2009.

The prompt action taken by Mineral Processing to correct and report the throughput and OC limitation violations demonstrate that the company addressed the violation. This emission unit is now being operated in compliance with the permit's requirements. Please note, however, that this does not preclude the Director from seeking civil penalties pursuant to ORC section 3704.06 for these violations. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements.

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

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