



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

Re: Hancock County  
0332020187  
Archer Daniels Midland  
Notice of Violation

May 28, 2013

CERTIFIED MAIL

Mr. Josh Melby  
Archer Daniels Midland  
608 Findlay Road  
Fostoria, Ohio 44830

Dear Mr. Melby:

ADM Measurement Group attempted to conduct a stack test of the railcar loadout operation (emissions unit P902) at Archer Daniels Midland – Fostoria (“ADM”) on April 2, 2013, to fulfill a testing requirement in the Title V Renewal permit, effective date August 5, 2010. Jay Liebrecht of the Northwest District Office was on site to witness the test and observed that the unit was failing to achieve 95% capture efficiency as indicated in Permit-to-Install (PTI) P0112606 that was issued for the unit on February 4, 2013. During the test Jay Liebrecht estimated that the capture efficiency was no more than 20%. Failure to achieve the indicated capture efficiency is not only a violation of the 9.91 tons of fugitive PM10 per year limitation contained in PTI #P0112606 and the Title V Renewal permit P0087133, but it is also a violation of Ohio Revised Code 3704.05. As such, the test was cancelled and it will be necessary to re-test this unit for compliance.

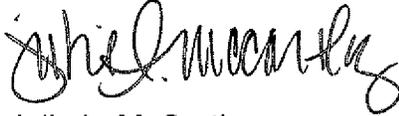
ADM has already begun to make modifications to increase the capture efficiency of the railcar loading operation by constructing a hood system to cover the railcar container, as evidenced during a site visit by Ohio EPA on April 23, 2013. ADM is required to notify Ohio EPA and schedule a new stack test date when the modifications are complete.

Please note that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA’s authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. Ohio EPA will determine later whether to pursue such penalties in this case.

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If you have any questions or concerns, please do not hesitate to contact me by phone at 419.373.3115 or by email at [julie.mccarthy@epa.state.oh.us](mailto:julie.mccarthy@epa.state.oh.us).

Sincerely,



Julie L. McCarthy  
Division of Air Pollution Control

/llr

Certified Mail Receipt Number 7009 1410 0001 1843 9990

cc: Jennifer Jolliff, NWDO/DAPC  
Jay Liebrecht, NWDO/DAPC  
Julie McCarthy, NWDO/DAPC  
Mark Budge, NWDO/DAPC  
Bruce Weinberg, CO/DAPC  
Brian Dickens, U.S. EPA/Region V  
Ken Doellman, ADM