



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

Re: Erie County
Schlessman Seed Co.
Premise No. 0322000227
**Inspection/
Notice of Violation
(NOV/non-HPV)**

June 28, 2013

CERTIFIED MAIL

Mr. Jerry Nickoli
Production Manager/Safety Director
Schlessman Seed Company
11513 U.S. Route 250
Milan, Ohio 44846-9578

Dear Mr. Nickoli:

This letter shall serve as follow-up to the inspection conducted at Schlessman Seed Company on June 24, 2013. The reason for the inspection was to determine the compliance status of the emission units that are operating at the facility with the rules and regulations of the Division of Air Pollution Control (DAPC). The inspection was conducted by Ms. Miranda Garlock of Ohio EPA's Northwest District Office (NWDO), DAPC.

As discussed with you during the inspection, the facility was issued a registration status for two Hess shelled corn dryers (emission unit P001) on January 28, 1983. The dryers were both installed in 1960 and have not been modified since their installation.

It is our understanding that the facility has a total storage capacity of 90,800 bushels and the facility has an annual throughput between 226,000 to 276,000 bushels/year. The facility handles soybean seed, wheat seed, popcorn seed, and sweet corn seed.

During the inspection, the following emission units were identified:

- Receiving Operations: [including four receiving pits (three inside and one outside), cleaning (three inside cleaners and three inside gravity tables), and transferring and conveying];
- Truck Loading Operations: [including two outdoor loading arms with spouts and one outdoor conveyor];

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- One 300 bushel/hour rack dryer (emission unit P001); and
- One 100 bushel/hour rack dryer (emission unit P001).

The facility's receiving operations and truck loading operations are currently unpermitted. The receiving operations and truck loading operations remain unchanged since 1960 with the exception of the new outside receiving pit which was installed approximately eight to ten years ago. The installation and operation of these emission units are in violation of Ohio Administrative Code (OAC) rule 3745-31-02 and Ohio Revised Code (ORC) 3704.05. Therefore, Schlessman Seed Company is required to submit Permit to Install/Operate (PTIO) applications, appropriate Emission Activity Category (EAC) forms, and process flow diagrams for these emissions units in order to correct this administrative violation. These applications will be treated as initial installations and will be assessed applicable fees. Permit applications and EAC forms can be downloaded from the following link on Ohio EPA's website: <http://epa.ohio.gov/dapc/permits/permits.aspx>.

In addition, the facility is required to submit updated PTIO applications for the two grain dryers which are currently on registration status because DAPC no longer permits two separate emissions units under one emission unit I.D. These applications will be treated as renewal permits and will not be assessed application fees.

Please note that the Ohio EPA has an Office of Compliance Assistance and Pollution Prevention (OCAPP) that may be able to assist you in coming into compliance with the rules and regulations of DAPC. Additional information about this office can be found at <http://epa.ohio.gov/ocapp/ComplianceAssistanceandPollutionPrevention.aspx> or by calling OCAPP at 1-800-329-7518. The OCAPP representative at the Northwest District Office is Mr. Ron Nabors and he can be reached at (419) 373-3147 or at Ron.Nabors@epa.ohio.gov.

Schlessman Seed Company is required to submit the information detailed above by no later than **July 29, 2013**.

Please be advised 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 pursuant to ORC section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date. 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.

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I would like to thank you for the courtesy extended during my visit. If you have any questions concerning this letter or the regulations, please feel free to call me at (419) 373-3069 or e-mail at Miranda.Garlock@epa.ohio.gov.

Sincerely,



Miranda R. Garlock
Environmental Specialist
Division of Air Pollution Control

/llr

pc: Certified Mail Receipt Number 7009 1410 0001 1834 9220

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