



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

June 18, 2013

**Certified Mail**

Mr. Brian Manges  
Safety and Risk Management  
Trupointe  
215 Looney Road  
Piqua, Ohio 45356

**RE: NOTICE OF VIOLATION FOR FAILURE TO APPLY FOR AND OBTAIN AIR POLLUTION PERMIT RENEWALS AND FAILURE TO CONTROL EQUIPMENT ON TRUCK LOADOUT**

Dear Mr. Manges:

This letter serves as a Notice of Violation to you for the violation of Ohio Administrative Code (OAC) Chapter 3745-31 for failure to submit a timely permit renewal application to install and operate air pollution emissions sources. The following is a list of expired sources of air pollution emissions at your Sidney, Ohio facility, 0575010132, identified by the Ohio EPA Division of Air Pollution Control (DAPC).

- Grain handling for dryer, F001
- Natural gas-fired column dryer, F002
- Truck and Rail Grain Receiving, F003
- Headhouse and internal handling, F004
- Storage bin vents, F005
- Truck and rail grain shipping, F006
- Cleaner, F007

The installation and operation of any stationary air pollution source without an active air pollution permit constitutes a violation of OAC rule 3745-31-02. Ohio Administrative Code (OAC) rule 3745-31-02 (A) states that *no person shall cause, permit, or allow the installation of a new source of air pollutants...without first obtaining a PTI from the director.*

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During June 13, 2013, inspection, we observed the grain loading, emissions unit F006, of a semi-truck from a side shoot of one of the storage bins. The shoot was stationary. No air pollution control methods were employed and/or control equipment installed. According to the expired air pollution permit for this emissions unit, *"the emissions unit shall be equipped with such equipment that will adequately, enclose, contain, capture, vent and control the fugitive dust."* Since the grain was falling straight into the truck bed from the end of the shoot, there were not "adequate" steps being taken to minimize and/or eliminate fugitive dust emissions. This failure constitutes a violation of OAC rule 3745-31-05(A)(3) which requires the use of best available technology in order to minimize and/or eliminate air pollution emissions.

Please submit all necessary permit applications within **14** days of receipt of this letter. A permit-to-install and operate (PTIO) application and Emissions Activity Category (EAC) forms for each source are enclosed. The application may be submitted using the eBusiness Center: Air Services (<https://ebiz.epa.ohio.gov>). Air Services training videos are available on line at [http://ohioepa.custhelp.com/app/answers/detail/a\\_id/1642](http://ohioepa.custhelp.com/app/answers/detail/a_id/1642). For assistance, you may contact Elisa Thomas at [elisa.thomas@epa.ohio.gov](mailto:elisa.thomas@epa.ohio.gov) or (614) 644-3621.

Based on your email from June 14, 2013, sox will be added to the two side shoots at your facility by Friday, June 21, 2013. Once these sox are added, we will need to conduct a follow-up inspection in order to verify that Trupointe has returned to compliance with OAC standards.

If this facility is not subject to synthetic minor requirements, a hard copy application will be accepted. Should you need any assistance in completing the enclosed paperwork, please feel free to contact Mr. James Pellegrino of the Office of Compliance Assistance and Pollution Prevention at (937) 285-6439 or myself at (937) 285-6063.

Sincerely,



Craig Osborne  
Environmental Specialist  
Division of Air Pollution Control

CO/tf

ec: Bruce Weinberg, DAPC  
John Paulian, DAPC  
Tom Schneider, DAPC/SWDO  
Drew Bergman, Ohio EPA Legal Office  
Brian Dickens, U.S. EPA, Region 5