



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

July 26, 2013

Ms. Beth Pierson, Environmental Manager  
Gavilon  
11 ConAgra Drive  
Omaha, Nebraska 68102

Re: Resolution to Notice of Violation (NOV) issued to Gavilon Grain, LLC dba Peavey Company – Harpster on April 10, 2013.

Dear Ms. Pierson:

This letter shall serve as a follow-up to the Notice of Violation (NOV) letter dated April 10, 2013, for the above-referenced facility. The Notice of Violation addressed the failure to maintain required records, failure to check sources for visible emissions and the failure to apply mineral oil. The sources involved are P901, F003, F004 and F005. The purpose of this letter is to indicate the facility's return to compliance status. This is being accomplished by the implementation of company procedure changes listed in the Response to Notice of Violation letter dated May 8, 2013.

At this time, the NOV issued to the facility dated April 10, 2013, is hereby resolved. Please note that this does not preclude the Director from seeking civil penalties pursuant to ORC section 3704.06 for the violation noted in the NOV letter. The decision on whether to pursue or decline to pursue such penalties regarding this 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 concerning this letter, please feel free to contact me at the above referenced address, by email at [debbie.ko@epa.ohio.gov](mailto:debbie.ko@epa.ohio.gov) or call (419) 373-3106.

Sincerely,

Debbie Ko  
Division of Air Pollution Control

/llr

ec: Jennifer Jolliff, NWDO, DAPC  
Bruce Weinberg, CO, DAPC  
Debbie Ko, NWDO, DAPC