

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

October 7, 2013

CERTIFIED MAIL

Ms. Beth York
ADM Grain Company
4666 Faries Parkway
Decatur, IL 62526

Re: Notice of Violation

Dear Ms. York:

Enclosed, please find a "Notice of Violation" for ADM Grain Company (Ohio EPA Facility ID 0448010313 emission units F001, F007, F008, F009, P006, P907 and P901 through P905). Please review this document carefully as some action is required on your part.

If you have any questions, please feel free to contact me at 419-936-5043.

Sincerely,

Jeffrey Coleman
Engineering Associate

Enclosure

cc: Tim Murphy
Karen Granata
William Jennings, City of Toledo Law Department
John Paulian, Ohio EPA
Brian Dickens, U.S. EPA Region 5

Timothy D. Murphy, Commissioner
DIVISION OF ENVIRONMENTAL SERVICES
Quilter Environmental Center
348 South Erie Street, Toledo, Ohio 43604-8633 USA
Telephone: 419-936-3015 Fax: 419-936-3959 E-mail: tim.murphy@toledo.oh.gov

NOTICE OF VIOLATION

October 7, 2013

The City of Toledo Division of Environmental Services hereby serves notice that:

ADM Grain Company
1308 Miami Street
Toledo, Ohio 43605

has violated the following environmental laws, orders, rules, or regulations on the indicated dates at the above address.

Dates of Violation(s)

4/1/2010 through 3/31/2012

Regulation(s) violated

ORC 3704.05(C) - No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions

Description of Source(s) and Violations(s)

Term C.1.d) of permits P0105871, P0107286, P108510, and P0109137 states except as otherwise provided d)(2), the permittee shall perform daily inspections. ADM Grain Company did not keep the records of the inspections for the period from April 1, 2010 through March 31, 2012.

The above violation(s) may subject the violator to penalties of up to \$25,000 per violation. It is possible that a penalty may be assessed in this case. If a penalty is to be assessed, the amount will be determined after your response is reviewed.

Required Actions

Within 2 weeks of receipt of this Notice of Violation, you shall:

1. Abate the violation(s) or provide for an acceptable remedy.
2. Reply in writing to this Notice of Violation. The reply shall include:
 - a. description(s) and date(s) of action(s) taken thus far to abate the violation(s).
 - b. description(s) and expeditious time schedule of action(s) yet to be taken to remedy the violation(s).
 - c. description(s) of action(s) taken or to be taken to prevent recurrence of the violation(s). Your written response and any questions regarding this Notice of Violation should be directed to Jeff Coleman at the City of Toledo, Division of Environmental Services, 348 South Erie Street, Toledo, Ohio 43604.

The submission of the above requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code 3704.06. Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.