



**Environmental
Protection Agency**

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

Re: Hancock County
The Mennel Milling Company
0332020069
Notice of Violation (NOV/non-HPV)

March 14, 2012

Mr. Scott Flick, Plant Manager
The Mennel Milling Company
320 Findlay Street
P. O. Box 806
Fostoria, Ohio 44830

Dear Mr. Flick:

This letter shall serve as a follow-up to information submitted by The Mennel Milling Company ("Mennel") on February 24, 2012, in response to Ohio EPA's February 6, 2012, letter. Ohio EPA has reviewed its records as well as the information provided and the following has been determined:

1. The following emissions units (EUs), which are currently permitted at the facility, can be processed under a comprehensive Permit to Install/Operate (PTIO) renewal permit utilizing information already available to the agency:

F002 (Flour Bulk Loading) PTI 03-5408, issued 4/17/1991; PTO issued 1/25/1994
P004 (Wheat Flour Dryer/Mill A) PTI 03-5573, issued 4/17/1991; PTO issued 11/25/1994
P005 (Flour Conveying and Packing) PTI 03-16153, issued 5/6/2004
P006 (Cereal Packing) PTI 03-5408, issued 4/17/1991; PTO issued 1/25/1994
P007 (Thermal Processor and Pneumatic Lift for Cereal Products) PTI 03-6436, issued 11/12/1992
P008 (Flour Milling/Mill C; 45,000 lbs/hr) PTI 03-9636, issued 6/12/1996

Please confirm that the above-listed emissions units have not been modified since their respective permits were issued so that the renewal PTIO processing can proceed.

2. The Midds Loadout Filter (P902) has recently been permitted under PTIO #P0108518 dated 2/27/2012; therefore, this EU will not be included under the PTIO renewal permit.

3. A Permit to Operate (PTO) was issued for P002 and P003 on 02/24/1989. Originally P002 included Mills A, B, and C. However, in 1996, Mill C was re-permitted as its own EU (P008) but the PTO for Mills A and B (under P002) was never renewed. As discussed with Mr. Michael Lake of Mennel on February 24, 2012, the facility is planning to submit a modification of P002 and P003 to include the addition of a new loading system. Because the original PTI and PTO applications cannot be located for either P002 or P003, we request that new PTIO applications, Emission Activity Category (EAC) forms, and emission calculations be submitted for these two EUs. These applications will be treated as Chapter 31 modifications and assessed applicable fees.
4. Schematics supplied by Mennel on February 24, 2012, indicate that Mill B operates a dryer and Mill A does not. Conversely, a PTO issued on 11/25/94 for P004 indicates that a dryer is associated with Mill A. Due to this discrepancy, please clarify if both Mill A and Mill B operate a separate dryer. If Mill B operates a separate dryer from Mill A, then this dryer is currently unpermitted. The installation and operation of this emissions unit would be considered a violation of OAC rule 3745-31-02 and Ohio Revised Code 3704.05. The facility would be required to submit a PTIO application, an EAC form, emission calculations, and a process flow diagram for this emissions unit in order to correct the violation. If an application is necessary it will be treated as an initial installation and assessed applicable fees.
5. During our site visit on January 26, 2012, and as indicated in No. 2 of the Complaint Investigation/Inspection letter dated February 6, 2012, additional EUs were identified beyond those currently permitted at the facility. The possible additional EUs identified included:
 - Truck Grain Unloading and Loading
 - Midds Loadout Filter
 - Paved and Unpaved Roadways and Parking Areas
 - Railcar Unloading and Loading
 - a. Based on the review of permits on file, truck load out operations are currently permitted under F002 and the Midds Loadout Filter is currently permitted under P902 as described in No. 1.

However, Ohio EPA does not appear to have permits or permit applications for the truck dump pit, the railcar unloading, or railcar loading operations. The truck dump pit was originally assigned an emissions unit ID of F001 in 1982 when it was placed on registration status. Notes in the file indicate the registration status was revoked in 1991 when no PTO application was received.

Therefore, the truck dump pit and the railcar unloading and loading operations are currently unpermitted. The installation and operation of these emissions units are in direct violation of OAC rule 3745-31-02 and Ohio Revised Code 3704.05. Therefore, the facility is required to submit PTIO applications, EAC forms, and a process flow diagram for these emissions units in order to correct the violation. These applications will be treated as initial installations and assessed applicable fees.

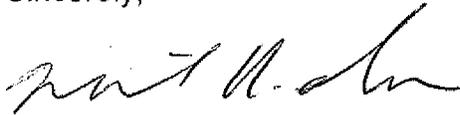
- b. The facility's unpaved roadways and parking areas are currently unpermitted, which may be a violation of OAC rule 3745-31-02 and Ohio Revised Code 3704.05. Mr. Lake indicated on February 24, 2012, that this emissions unit might qualify for the "de minimis" exemption, as per OAC rule 3745-15-05(B). In order to determine if this emissions unit qualifies as "de minimis," Ohio EPA is requesting that emission calculations be provided in lieu of a permit application submittal. The calculations should represent the potential to emit for this emissions unit. If calculations indicate that emissions do not meet "de minimis" levels then the facility is required to submit a PTIO application, an EAC form, and a process flow diagram for this emissions unit in order to correct the violation.
6. The above requested information will be essential to determine the facility's overall potential to emit (PTE) and actual potential to emit. Ohio EPA requests that the facility determine the overall PTE and actual emissions from the facility and include it with the above requested information.

Permit applications and EAC forms can be downloaded from the following link on Ohio EPA's website: <http://www.epa.ohio.gov/dapc/fops/eacforms.aspx>. Mennel is required to submit the information detailed above no later than April 12, 2012. 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 late date.

Mr. Scott Flick, Plant Manager
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Should you have any questions or comments concerning this letter, please feel free to contact me at (419) 373-3069 or electronically at Miranda.Garlock@epa.ohio.gov.

Sincerely,



Miranda R. Garlock
Division of Air Pollution Control

/llr

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