



**Environmental
Protection Agency**

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

Re: Crawford County
Central Ohio Farmers Co-op, Inc.
Premise # 0317002001
Notice of Violation (NOV) – Non HPV

March 21, 2012

CERTIFIED MAIL

Mr. Chuck Grau
Central Ohio Farmers Co-op, Inc.
1477 State Route 294
Marion, Ohio 43302

Dear Mr. Grau:

This letter shall serve as follow-up to Ohio EPA's review of the 2011 Annual Permit Evaluation Report (PER) for the Central Ohio Farmers Co-op, Inc. Crawford County facility, located at 500 West Marion Road in Mt. Gilead, Ohio, received February 15, 2012. In this report, deviations or exceedances from the operational restrictions or emission limitations of PTIO #P0105216, issued November 5, 2009, were noted for emissions units F006, F007, and F008. An attachment to the PER report explained the deviations and also noted the construction of additional storage for the grain receiving operation.

As a result of Ohio EPA's review of the PER report and the company's files, the following violations were discovered:

1. Additional grain storage consisting of one 731,000 bushel bin was constructed for the grain receiving by truck operation, which is emissions unit F002 (incorrectly identified as emissions unit F001 in the attachment to the PER report) in the summer/fall of 2011. This additional storage has resulted in the potential for additional throughput and an increased potential to emit for emissions units F002, F003 (grain dryer), F004 (grain loading by truck), and F005 (grain loading by rail).

OAC rule 3745-31-01(QQQ) defines a modification as any physical change in, or change in the method of operation of, any air contaminant source that results in an increase in allowable emissions. Therefore, the construction of additional grain storage for the grain receiving operation has resulted in the modification of emissions units F002, F003, F004, and F005. Each modification of an emissions unit without first obtaining a modification to the permit to install and operate is a violation of OAC rule 3745-31-05(A)(3) and Ohio Revised Code (ORC) 3704.05.

2. PTIO #P0105216 contains an operational restriction as term and condition c)(1) for emissions units F006, F007, and F008 (fertilizer receiving, mixing, and loading, respectively), which establishes a maximum allowable annual receiving, mixing, and loading rate, respectively, of 7000 tons each. According to the PER, this operational restriction was exceeded for each of these emissions units (by 3,247 tons for emissions unit F006, and by 276 tons each for emissions units F007 and F008). Each exceedance, for each emissions unit, is a violation of PTIO #P0105216 and ORC 3704.05.

Upon review of the company's file, it was noted that there were exceedances of the operational restriction of 7000 tons each for these three emissions units in last year's PER report, received February 17, 2011, (an exceedance of 1370 tons for F006, and 925 tons each for F007 and F008). Each exceedance in the 2010 PER, for each emissions unit, is also a violation of PTIO #P0105216 and ORC 3704.05.

As noted above, OAC rule 3745-31-01(QQQ) defines a modification as any physical change in, or change in the method of operation of, any air contaminant source that results in an increase in allowable emissions. Therefore, each exceedance has also resulted in the modification of emissions units F006, F007, and F008. Each modification of an emissions unit without first obtaining a modification to the permit to install and operate is a violation of OAC rule 3745-31-05(A)(3) and Ohio Revised Code (ORC) 3704.05.

In order to bring the company into compliance with Ohio regulations, the company must submit a compliance plan to explain how the company will correct the violations and prevent them from occurring in the future. The compliance plan should include completed PTIO applications requesting modifications to emissions units F002, F003, F004, F005, F006, F007, and F008, as well as any other units, such as F001 for roadways, which may require modification based on increased throughputs (or in the case of roadways, increased truck traffic) at the facility.

The company's written response to this letter is requested by April 16, 2012, and it should be submitted to Ohio EPA, Northwest District Office. If permit applications are submitted electronically, please indicate the date they were submitted in the company's written response.

Mr. Chuck Grau
March 21, 2012
Page 3

Permit applications and Emissions Activity Category (EAC) forms may be downloaded from Ohio EPA's website by going to <http://www.epa.ohio.gov/dapc/fops/eac/eacforms.aspx>. In addition, Ohio's Office of Compliance Assistance and Pollution Prevention (OCAPP) may be contacted for assistance at <http://www.epa.state.oh.us/ocapp/ocapp.html>. The NWDO representative of OCAPP is Mr. Ron Nabors who can be contacted by phone at (419) 373-3147 or by e-mail at ron.nabors@epa.state.oh.us.

Please note that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

If the company has any questions and/or comments concerning this letter, please contact me at the above address, by calling (419) 373-3113, or via e-mail at peggy.argabright@epa.state.oh.us.

Sincerely,



Peggy Argabright
Division of Air Pollution Control

/llr

ec: William MacDowell, U.S. EPA Region V
Tom Kalman, DAPC – CO
Jennifer Jolliff, DAPC – NWDO
Ron Nabors, OCAPP – NWDO
Peggy Argabright, DAPC – NWDO
Certified Mail Receipt Number 7009 1410 0001 1843 9143