



**Environmental
Protection Agency**

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

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

May 16, 2012

CERTIFIED MAIL

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

Dear Mr. Flick:

This letter shall serve as a follow-up to the facility inspection on April 18, 2012, of The Mennel Milling Company ("Mennel") by Miranda Garlock, Jan Tredway, and Alyse Johnson of the Division of Air Pollution Control and a telephone discussion on May 2, 2012, with Mike Lake, Mennel's Director of Environmental Health and Safety Coordinator with Miranda Garlock and Jan Tredway. As part of the Ohio EPA's program to reduce the Permit to Install/Operate (PTIO) backlog and based on a compliance inspection which was conducted as part of a complaint investigation on January 26, 2012, the facility profile and permits have recently been reviewed. In an attempt to verify the accuracy of the Ohio EPA files and the facility's current emission units, the agency requested further information from Mennel in a letter dated February 6, 2012. Based on information provided on February 24, 2012, by Mennel, the Ohio EPA issued a Notice of Violation (NOV) letter dated March 12, 2012, requesting the submittal of updated Permit to Install/Operate (PTIO) applications for current emission units at the facility. Mennel requested on April 12, 2012, the Ohio EPA conduct a facility walk through to observe the facility's overall operations to determine possible air emission units and determine what emission units in operation at the facility would require permits. This letter summarizes the findings of the facility inspection:

1. Upon the completion of the facility inspection it was determined that nine separate emission units currently exist at the facility as described below:

- P902** - Midds Loadout
- P903** - Truck Receiving with transferring, conveying, and storage.
- P904** - Screening and Cleaning with transferring and conveying (inclusive of 200 headhouse)
- P905** - Screening and Cleaning with transferring and conveying (smaller cleaning house located prior to milling operations and after 200 headhouse)
- P906** - Railcar Unloading (associated with 200 headhouse)
- F002** - Truck Loading
- F003** - Railcar Loading
- F004** - Paved and Unpaved Roadways
- P009** - Milling Operations

2. Upon the facility inspection and discussions with Mennel, it seems that four of the nine emission units would likely qualify for a "de minimis" exemption. These four emission units include: P009, F002, F003, and F004. As such, as a requirement of OAC 3745-15-05(E), Mennel is required to maintain records that show that emissions of any air contaminant from the source does not exceed ten pounds per day on each day the source emitted air contaminants and that the source in any one year did not emit more than one ton of hazardous air pollutants as defined in division (1) of section 3704.03 of the Revised Code, and that the emission from the source in combination with similar air contaminant from the facility did not result in excess of 25 tons during the preceding calendar year.
 - a. Emissions associated with the milling operations (P009) are inclusive of emission codes P002, P005, P006, P007, and P008. For the purposes of this emission unit, the former emission codes: P002, P005, P006, P007, and P008 will be invalidated and reference to their inclusion under one emission code, P009, will be made to the facility profile. The Ohio EPA requests that Mennel summarize the calculations for all milling operations on one form. If calculations determine the emissions from this unit qualify as "de minimis", this emission unit will be listed as permit exempt.
 - b. Emissions associated with F002 (bulk loading) should be separated into two emission codes, F002 (inclusive of truck loading only) and F003 (inclusive of railcar loading only). Previously, emissions from the railcar loading operations were not included as part of the bulk loading operations and emissions code F003 will be assigned to railcar loading operations under the facility profile.

The Ohio EPA requests that Mennel present emission calculations for truck and railcar loading operations separately. If calculations determine the emissions from these units qualify as "de minimis", these emission units will be listed as permit exempt.

- c. Previously emissions from unpaved and paved roadways were not included under the facility profile. The emission code of F004 will be assigned to facility roadways under the facility profile. Mennel supplied the Ohio EPA calculations for the unpaved roadways on April 18, 2012, but did not include calculations for paved roadways. The Ohio EPA requests that Mennel present emission calculations for both paved and unpaved roadways combined. If calculations determine the emissions from this unit qualify as "de minimis", this emission unit will be listed as permit exempt.

It should be noted that if calculations determine that emissions exceed ten pounds per day, the "de minimis" exception would not apply and a PTIO application for the emission unit should be submitted in lieu of calculations.

3. Upon the facility inspection and discussions with Mennel, it is evident that five of the nine emission units would be considered permittable emissions units. These five emission units include: P902, P903, P904, P905, and P906.
 - a. The Midds Loadout Filter (P902) has recently been permitted under PTIO #P0108518 dated February 27, 2012; therefore, Mennel's permitting obligations associated with P902 have been completed.
 - b. Emissions associated with truck receiving were not included under the facility profile. The emission code of P903 will be assigned to this operation and will be inclusive of the truck dump pit with transferring and conveying, and storage operations which are controlled by one baghouse. These operations are inclusive of grain handling operations that occur on the facility prior to screening and cleaning operations.
 - c. Emissions associated with screening and cleaning operations associated with the smaller cleaning house installed in the 1960s were previously assigned emission code P003. However, Mennel indicated that a baghouse had been added to this smaller cleaning house; therefore, the previous emission code of P003 will be reassigned P905 to reflect the use of control equipment. P003 will be invalidated under the facility profile.

Because the 200 headhouse was installed in 1996 and utilizes its own baghouse as control equipment, the 200 headhouse will be assigned emission code P904. P904 will be inclusive of screening and cleaning operations with transferring and conveying and storage (inclusive of the 200 headhouse) which is controlled by one baghouse and P905 will be inclusive of screening and cleaning with transferring and conveying and storage (smaller cleaning house located prior to milling operations and after the 200 headhouse) which is controlled by one baghouse.

- d. Previously emissions from the railcar unloading operations were not included under the facility profile. Because the baghouse used as control equipment for the railcar unloading operations is the same baghouse used to control emissions from P904, the emission code of P906 will be assigned to the railcar unloading operations under the facility profile.
4. Based on the facility inspection and discussion with Mennel, the facility's grain handling operations which are inclusive of emission units P903, P904, P905, and P906 would be applicable to New Source Performance Standards (NSPS) requirements established for Grain Elevators under 40 CFR Part 60, Subpart DD. According to Mennel, the facility has had a permanent grain storage capacity of over one million bushels since the 1960s (prior to 1978). NSPS requirements were established on August 3, 1978, for grain elevators located at any wheat flour mill which have a storage capacity over one million bushels; therefore, any modifications and new installations associated with the grain handling operations at the facility which occurred after August 3, 1978, would be required to meet applicable NSPS regulations. It was discovered upon the facility inspection and discussion with Mennel on April 18, 2012, that numerous modifications have occurred at the facility in the recent past including the addition of silo storage (P904), the 200 headhouse (P904), and railcar unloading station (P906) all in 1996, the replacement of several conveyor legs (P903), the addition of control equipment to the transferring and conveying operations (P903), the addition of control equipment associated with the screening and cleaning operations associated with the 200 headhouse (P904) and smaller cleaning house (P905) and the addition of control equipment associated with railcar unloading (P906). Therefore, emissions from these units would be subject to the following NSPS standards:

- a. Particulate matter emitted from process emissions should not exceed 0.01 gr/dscf.
- b. Particulate matter emitted from process emissions should not exceed 0% opacity.
- c. Particulate matter emitted from fugitive emissions should not exceed 5% opacity for truck unloading stations, railcar unloading stations, and railcar loading stations.
- d. Particulate matter emitted from fugitive emissions should not exceed 0% opacity for grain handling operations which is inclusive of transferring and conveying operations.
- e. Particulate matter emitted from fugitive emissions should not exceed 10% opacity for truck loading stations.

Based on the information provided, it appears that Mennel installed and operated emission units P903, P904, and P906 without obtaining a Permit to Install/Operate (PTIO). In addition, several modifications including new equipment upgrades and new control device installation have been made to emission units P903 (transferring and conveying operations) and P905 without obtaining permit modifications. The installation, operation, and modification of these emission units are in direct violation of Ohio Administrative Code (OAC) rule 3745-31-02 and Ohio Revised Code 3704.05.

As a requirement of NSPS regulations, control equipment must provide sufficient control of particulate matter as described in 4)(a). and 4)(b). above. Because the control equipment associated with emission units P903, P904, P905, and P906 were not tested within six months of the installation startup date, these emission units are in violation of 40 CFR Part 60.302 (NSPS Subpart DD). In addition, because these control devices have not been tested, it cannot be discerned if control devices associated with these emission units are demonstrating compliance with the capture and control efficiency limitations required by NSPS regulations.

The company's written response to this letter is requested by June 15, 2012. It should be submitted to Ohio EPA, Northwest District Office and contain a compliance plan to remedy the observed situation and prevent this, or any similar situation, from occurring in the future. For your use, the Ohio EPA is returning the enclosed applications submitted by Mennel on April 18, 2012.

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The Ohio EPA anticipates that the compliance plan will include the submittal of new PTIO applications for P903, P904, P905, and P906 and will provide an Intent to Test Notification letter for the three control devices (one associated with P903, one associated with P904 and P906, and one associated with P905). In addition, a facility map is enclosed which outlines the approximate boundaries of grain handling operations at the facility.

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 later date.

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

/cg

pc: DAPC-NWDO File
Certified Mail Receipt Number 70091410000118342788

ec: Miranda Garlock, NWDO, DAPC
Julie McCarthy, NWDO, DAPC
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