



**Environmental
Protection Agency**

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

Re: Wood County
Countyline Co-Op, Inc.
555 Main Street
Risingsun, Ohio 43457
Premise #0387000106
Notice of Violation (NOV/non-HPV)

June 5, 2012

CERTIFIED MAIL

Mr. Marc Schaller, Manager
Countyline Co-Op, Inc.
P.O. Box C
Pemberville, Ohio 43450

Dear Mr. Schaller:

This letter shall serve as follow-up to the site visit conducted at the above-referenced facility on May 22, 2012. The reason for the visit was to determine whether the facility is still operating and if so, explain the non-compliance status of Countyline Co-Op, Inc. (herein referred to as Countyline) with the rules and regulations of the Division of Air Pollution Control (DAPC). I met with Mr. Levi Richards, manager of the Risingsun facility, during the visit and he expressed that the letter should be addressed to your attention.

Based on the information obtained from Mr. Richards during the visit as well as a review of the facility files at the Northwest District Office (NWDO), the findings are summarized for your convenience:

1. Countyline was issued a Permit to Install (PTI) #03-17112 on April 27, 2006, for the grain receiving operations identified by Ohio EPA as emission unit F001. A second PTI was issued (#03-17118 on September 12, 2006) for the unpaved roadways and parking areas identified as emissions unit F002. A Permit to Operate (PTO) was issued on May 4, 2007, for all of the emission units operating on the site thereby bringing the facility into compliance with the rules and regulations of DAPC with the issuance of the permit.
2. The reporting requirements in PTI #03-17112 requires Countyline to submit semi-annual deviation reports as well as annual grain throughput reports for F001. PTI #03-17118 requires quarterly deviation reports to be submitted for F002. The last reports received by NWDO were on July 10, 2007. The facility is thereby in violation of the reporting requirements in the corresponding permits, Ohio Administrative Code (OAC) rule 3745-31-05(A)(3) as well as a violation of Ohio Revised Code (ORC) §3704.05. In an e-mail dated on July 20, 2009, you were informed of the noncompliance issues pertaining to the reporting requirements and it was noted that this is a violation of the permits. This matter has yet to be rectified. These records are required from the third quarter of 2007 to present.
3. The PTO that was issued on May 4, 2007, expired on May 4, 2012. On November 2, 2011, a letter was sent from Ohio EPA to the mailing address on file [PO Box 1 in Risingsun] reminding Countyline that on May 4, 2012, the operating permit will expire and renewal applications are required prior to that date.

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Countyline failed to submit a renewal permit application and is therefore in violation of the general term and condition #9 in the PTO, OAC rule 3745-35-02 [rescinded], OAC rule 3745-31-02 as well as in violation of ORC §3704.05. A renewal application will be required in order to rectify this matter. Applications can be downloaded from Ohio EPA's webpage at <http://www.epa.ohio.gov/dapc/fops/eac/eacforms.aspx>.

4. Although the site visit was specific to the Risingsun branch, please note that the two other Countyline facilities are currently out of compliance as well. There are two other branches in NWDO records; one in Pemberville (Facility ID #0387000248) and the other in Gibsonburg (Facility ID #0372000182). It is required at this time to submit Permit to Install and Operate (PTIO) applications for each facility. The applications shall contain, at a minimum, all air contaminant sources operating at the site as well as the appropriate Emissions Activity Category (EAC) form and process flow diagram. The link indicated above in #3 is valid. If you have trouble filling out the applications, please let me know and I will send you some examples similar to the operations conducted at both sites.
5. In addition, Ohio EPA has an Office of Compliance Assistance and Pollution Prevention (OCAPP) that may be able to assist you in coming into compliance with the rules and regulations of DAPC. Additional information about this office can be found at <http://www.epa.ohio.gov/ocapp> or by calling OCAPP at 1-800-329-7518. The OCAPP representative at NWDO is Mr. Ron Nabors and he can be contacted at (419) 373-3147 or at ron.nabors@epa.state.oh.us.

The information detailed above is required by no later than July 3, 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 later date.

If you have any questions and/or concerns regarding this letter, feel free to contact me at (419) 373-3118 or by e-mail at mohammad.smidi@epa.state.oh.us.

Sincerely,



Mohammad Smidi, Environmental Specialist
Division of Air Pollution Control

/cg

pc: DAPC-NWDO Facility File
Certified Mail Receipt Number 70091410000118342658
ec: Andrea Moore, DAPC-NWDO
Bruce Weinberg, DAPC-CO
Jennifer Jolliff, DAPC-NWDO
Levi Richards
Marc Schaller
Melanie Ray, DAPC-NWDO
Ron Nabors, OCAPP-NWDO
William MacDowell, US EPA Region V