



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

Re: Hardin County
Heritage Cooperative, Kenton Facility
Premise # 0333010147
Resolution of Violation

January 29, 2013

Mr. Max Perry, Safety and Compliance
Heritage Cooperative, Inc.
304 Bloomfield Avenue
Urbana, Ohio 43078

And

Mr. Mike MaGinn, Manager
Kenton Grain Branch
Heritage Cooperative, Inc.
13118 State Route 31 South
Kenton, Ohio 43326

Dear Mr. Perry and Mr. MaGinn:

This letter shall serve as a follow-up to the Notice of Violation (NOV) letters dated December 14, 2011, and December 10, 2012, for the above-referenced facility. The purpose of this letter is to indicate the facility's return to compliance status. This was accomplished by the following:

1. Heritage Cooperative, Inc. ("Heritage") was issued Permit to Install and Operate P0109618 for emission unit F005 (Unpaved Roadways and Parking Areas) on March 1, 2012, and P0109312 for emission units F001 (Truck Loading), F002 (Rail Loading), F003 (Grain Dryer), F004 (Grain Pile), and P901 (Grain Receiving, Transferring, and Conveying) on March 6, 2012.
2. On November 30, 2012, Heritage supplied Division of Air Pollution Control (DAPC) with the year to date total of the facility's throughput for emission units having operational restrictions. Throughput totals did not exceed operational restrictions established in P0109312 issued March 6, 2012, with the exception of F004, and Heritage has developed a spreadsheet to record monthly throughput totals for the facility.
3. Heritage submitted a Chapter 31 permit modification for F004 on December 20, 2012. P0112411 was issued January 23, 2013, which increased the operational restriction throughput of the grain pile.
4. Heritage has resumed use of mineral oil to control fugitive emissions from F001, F002, F003, and P901 as established in P0109312 and from F004 as established in P0112411. In addition, Heritage has agreed to use adjustable chutes in addition to mineral oil to control fugitive emissions from F001 and F002 as established in P0109312.

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5. Heritage has developed a daily weather log which will be used to record daily visible emissions (VE) observations and any control measures that need to be implemented as a result of the daily VE observations. This record keeping device satisfies the monitoring and record keeping requirements established for F001, F002, and P901 in P0109312 and for F004 as established in P0112411.
 - a. Upon the review of the daily weather log developed by Heritage, DAPC recommends Heritage include each separate emission unit on the daily weather log which has a daily VE requirement so that daily observations are made individually and identified for each separate emission unit.
6. Heritage will make all needed repairs to plates on the grain tube and will not load grain to the pile until the tube plate repairs have been completed.

Please note that this does not preclude the Director from seeking civil penalties pursuant to ORC section 3704.06 for the violations noted in the NOV letters. The decisions on whether to pursue or decline to pursue such penalties regarding this are dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements.

Should you have any questions and/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

ec: Miranda Garlock, NWDO, DAPC
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