



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JAN 24 2011

REPLY TO THE ATTENTION OF:
AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Randy DeWitt, Terminal Supervisor
Agrium U.S. Inc.
1921 Old Naples Road
P.O. Box 410
Meredosia, Illinois 62665

Re: Notice and Finding of Violation
Agrium U.S. Inc., Meredosia Terminal
Meredosia, Illinois

Dear Mr. DeWitt:

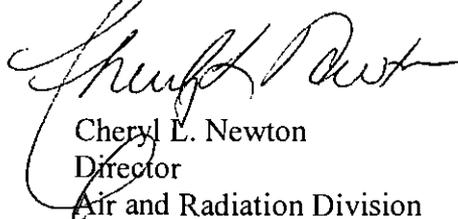
The U.S. Environmental Protection Agency is issuing the enclosed Notice and Finding of Violation (NOV/FOV) to Agrium U.S. Inc. Meredosia Terminal (Agrium). The NOV/FOV is being issued under Section 113(a) of the Clean Air Act, 42 U.S.C. § 7413(a). We find that you are in violation of the Illinois State Implementation Plan (SIP) at your Meredosia, Illinois facility.

We are offering you an opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The technical contact in this matter is Natalie Topinka. You may call her at (312) 886-3853 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely,



Cheryl E. Newton
Director
Air and Radiation Division

Enclosure

cc: Ray Pilapil, Manager
Compliance and Systems Management Section
Illinois Environmental Protection Agency

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:)	NOTICE AND FINDING OF VIOLATION
Agrium U.S. Inc.)	
Meredosia, Illinois)	EPA-5-11-IL-02
)	
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	

NOTICE AND FINDING OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice and Finding of Violation under Section 113(a) of the Clean Air Act (CAA), 42 U.S.C. § 7413(a). U.S. EPA finds that Agrium U.S. Inc. Meredosia Terminal (Agrium) in Meredosia, Illinois, is in violation of the Illinois State Implementation Plan (SIP), as follows:

Regulatory Authority

1. Section 113(a) of the CAA, 42 U.S.C. § 7413(a)(1), authorizes the Administrator to initiate an enforcement action whenever, among other things, the Administrator finds that any person has violated or is in violation of a requirement or prohibition of an applicable implementation plan or permit.
2. On May 31, 1972, U.S. EPA approved Illinois Pollution Control Board Rule 102 (35 Illinois Administrative Code § 201.141), as part of the federally enforceable SIP for the State of Illinois. 37 Fed. Reg. 10842.

Agrium's Meredosia, Illinois Facility

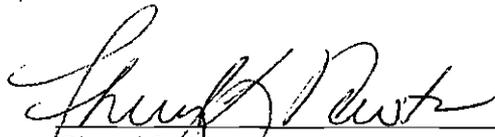
3. Agrium owns and operates a farm equipment and fertilizer supply facility in Meredosia, Illinois (the Facility). The Facility includes a 20,000 ton low pressure anhydrous ammonia storage tank.
4. Ammonia is an air contaminant and/or causes or tends to cause air pollution.

5. To control air pollution emissions and tank pressure, the ammonia storage tank is equipped with a 20-25 foot tall, natural gas-fired flare to burn off excess ammonia vapors.
6. The Illinois SIP at Illinois Administrative Code (IAC) § 201.141 requires that no person cause or threaten or allow the discharge or emission of any contaminant into the environment so as, either alone or in combination with contaminants from other sources, to cause or tend to cause air pollution in Illinois.
7. The Illinois SIP at IAC § 201.102 defines air pollution as the presence in the atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.
8. On January 12, 2009, Agrium reported a release of approximately 3,100 pounds of anhydrous ammonia from the ammonia flare that was a direct result of Agrium's failure to properly activate several automatic flow control, ignition, and alarm features on the flare.
9. On the evening of January 12, 2009, the Morgan County Sheriffs Department received two calls from local residents regarding an ammonia smell in the Meredosia area.

Violations

9. By the Facility causing air pollution due to the release of ammonia on January 12, 2009, Agrium is in violation of the SIP at 35 IAC 201.141.

1/24/11
Date



Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Notice and Finding of Violation of the Clean Air Act was sent by Certified Mail, Return Receipt Requested, to:

Randy DeWitt, Terminal Supervisor
Agrium U.S. Inc.
1921 Old Naples Road
P.O. Box 410
Meredosia, Illinois 62665

I also certify that I sent copies of the NOV/FOV by first class mail to:

Ray Pilapil, Manager
Bureau of Air
Compliance and Enforcement Section
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

on the 25th day of January, 2011.


Betty Williams
Administrative Program Assistant
Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 7009168000076666503