



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

FEB 4 2011

REPLY TO THE ATTENTION OF:

(AE-17J)

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Michael Kruley  
Glycols Plant Manager  
ADM BioProducts  
Archer Daniels Midland Company  
P.O. Box 1470  
Decatur, Illinois 62525

Re: Glycols Plant Scrubber, Decatur, Illinois  
Administrative Consent Order EPA-5-11-113(a)-IL- 01

Dear Mr. Kruley:

Enclosed is an executed original of the Administrative Consent Order regarding the above captioned case. If you have any questions about the Order, please contact me at 312-886-6812.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Brent Marable".

Brent Marable  
Chief  
Air Enforcement and Compliance Assurance Section (IL/IN)

Enclosure: Administrative Consent Order EPA-5-11-113(a)-IL- 01

cc: Ray Pilapil, Manager  
Bureau of Air – Compliance and Enforcement Section  
Illinois Environmental Protection Agency

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>IN THE MATTER OF:</b>	)	<b>EPA-5-11-113(a)-IL- 01</b>
	)	
Archer Daniels Midland Company	)	<b>Proceeding Under Sections 113(a)(3),</b>
Decatur, Illinois	)	<b>114(a)(1) of the Clean Air Act,</b>
	)	<b>42 U.S.C. §§ 7413(a)(3), 7414(a)(1)</b>

**Administrative Consent Order**

1. The Director of the Air and Radiation Division, U.S. Environmental Protection Agency, Region 5, is issuing this Administrative Consent Order (Order) to the Archer Daniels Midland Company (ADM) in Decatur, Illinois, under Sections 113(a)(3) and 114(a)(1) of the Clean Air Act (the Act), 42 U.S.C. §§ 7413(a)(3) and 7414(a)(1).

**Statutory and Regulatory Background**

2. Under Section 112 of the Act, 42 U.S.C. § 7412, EPA promulgated the National Emission Standards for Organic Hazardous Air Pollutants (NESHAP) from the Synthetic Organic Chemical Manufacturing Industry, 40 CFR Part 63, Subpart F; the NESHAP from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater, 40 CFR Part 63, Subpart G; and the General Provisions of the NESHAP, 40 CFR Part 63, Subpart A. The NESHAP Subparts A, F, and G apply to chemical manufacturing process units that meet certain specified criteria.

3. The NESHAP, at 40 CFR § 63.100(k)(1)(ii) states that new sources that commence construction after August 26, 1996 shall be in compliance with Subparts F, G, and H of Part 63 upon initial start-up or by January 17, 1997, whichever is later.

4. The NESHAP, at 40 CFR § 63.113(a)(2) requires the owner or operator of a Group 1 process vent to reduce emissions of total organic hazardous air pollutants by 98 weight-

percent or to a concentration of 20 parts per million by volume (ppmv), whichever is less stringent.

5. The NESHAP, at 40 CFR § 63.116(c) requires that an owner or operator using a control device to comply with the organic HAP concentration limit or percent reduction efficiency requirements in 40 CFR § 63.113(a)(2) conduct a performance test using the procedures in 40 CFR § 63.113(c)(1) through (c)(4).

6. The NESHAP at 40 CFR § 63.7(a)(2) requires the owner or operator of the affected source to perform initial performance testing within 180 days of the compliance date for such source except in the case of a force majeure.

7. Under Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3), the Administrator of EPA may issue an order requiring compliance to any person who has violated or is violating the NESHAP regulations. The Administrator has delegated this authority to the Director of the Air and Radiation Division.

8. The Administrator of EPA may require any person who owns or operates an emission source to make reports, sample emissions, and provide information required by the Administrator under Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). The Administrator has delegated this authority to the Director of the Air and Radiation Division.

### **Findings**

9. ADM owns and operates a Glycols Plant located in Decatur, Illinois.

10. ADM's Glycols Plant is subject to the NESHAP from the Synthetic Organic Chemical Manufacturing Industry, 40 CFR Part 63, Subpart F; the NESHAP from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer

Operations, and Wastewater, 40 CFR Part 63, Subpart G; and the General Provisions of the NESHAP, 40 CFR Part 63, Subpart A.

11. ADM owns or operates an "emission source" within the meaning of Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). Therefore, ADM is subject to the requirements of Section 114(a)(1).

12. ADM started up its Glycols Plant on April 15, 2010.

13. On June 26, 2010, ADM experienced a process upset affecting its Glycols Plant. Upon startup of the east hydrogen compressor, the pressure relief on the compressor discharged hydrogen gas resulting in a fire in the processing area. The facility experienced structural and equipment damage.

14. The incident that precipitated the fire and equipment damage was caused by an operational upset due to an ADM operator closing a discharge flow valve when it should have been left open. For this and other reasons, the process safety upset that caused the fire and damage was not a force majeure as defined in 40 CFR § 63.7.

15. Because of the equipment damage and safety issues, the Glycols propylene glycol/ethylene glycol reactor process has not operated since June 26, 2010, and the Glycols downstream refining processes were shut down July 1, 2010. Product produced from these downstream processes was further spot-processed through parts of the downstream refining unit operations until August 12, 2010, during which time the scrubber continued to operate. The scrubber continued to operate as the facility's storage tanks for its alcohol byproduct stream continued to store alcohol byproduct material until October 11, 2010. During that timeframe, the facility also sporadically operated its downstream water removal distillation column to ensure the recovery of any alcohols in the accumulated scrubber effluent water prior sending the effluent to

the onsite waste water treatment facility. The facility is currently storing the remaining propylene glycol product material in its storage tanks, several of which are controlled by the scrubber. As of December 20, 2010, the facility's scrubber has continued to operate as the control system for these storage tanks.

16. Although the Glycols scrubber is currently operational, the facility's current operation is not representative of design conditions, as the facility is not producing reactor product or subsequent alcohol byproduct material. As of December 21, 2010, the facility commenced intermittent recirculation of the propylene glycol and ethylene glycol that ADM has stored since the reactor ceased operations. In late January or February 2011, ADM plans to start up the Glycols reactor process to produce propylene glycol and ethylene glycol. Re-commencement of this operation will include utilization of the alcohol distillation columns that will be representative of the facility's operating conditions necessary for stack testing.

17. ADM was required to have conducted performance testing on the Glycols scrubber by no later than October 12, 2010, which was 180 days after startup of the Glycols Plant.

### **Compliance Program**

18. Within 180 days of January 1, 2011, ADM must complete the initial performance testing required by 40 CFR Part 63, Subparts F, G, and A in accordance with the applicable EPA test methods. The testing must be conducted under conditions representative of maximum hazardous air pollutant (HAP) emissions.

19. As required by 40 CFR § 63.7, ADM must notify EPA and the Illinois EPA in writing of its intention to conduct a performance test at least 60 calendar days before the performance test is initially scheduled to begin.

20. At the time that ADM notifies EPA and Illinois EPA of the date of performance testing, ADM must provide EPA and Illinois EPA with a written site-specific test plan for approval. The site-specific test plan must include the elements listed in 40 CFR § 63.7(c)(2)(i). The performance testing must be conducted under a test plan approved by the EPA and/or Illinois EPA.

21. Within 60 days of completing the performance testing above, ADM must submit a final complete test report to EPA and the Illinois EPA and include the information required by 40 CFR § 63.7(g).

22. Upon the effective date of this Order, ADM must maintain continuous compliance with 40 CFR Part 63, Subparts F, G and H.

23. ADM must submit all materials required by this Order to:

Attn: Compliance Tracker (AE-17J)  
Air Enforcement and Compliance Assurance Branch  
Air and Radiation Division  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604-3511

Padmavati Bending, (C-14J)  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604-3511

24. ADM must keep records of all reports submitted to EPA and all documents supporting those reports for at least one year after the termination of this Order unless a longer time is required by permit or regulation.

#### **General Provisions**

25. This Order does not affect ADM's responsibility to comply with other federal, state and local laws.

26. This Order does not restrict EPA's authority to enforce Section 114 of the Act, or any other section of the Act.

27. Failure to comply with this Order may subject ADM to penalties of up to \$32,500 per day for each violation under Section 113 of the Act, 42 U.S.C. § 7413 and 40 C.F.R. Part 19.

28. The terms of this Order are binding on ADM, its assignees and successors. ADM must give notice of this Order to any successors in interest prior to transferring ownership and must simultaneously verify to EPA, at the above address, that it has given the notice.

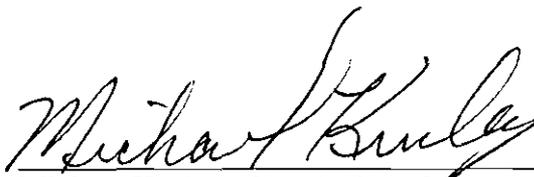
29. This Order is not subject to the Paperwork Reduction Act, 44 U.S.C. §§ 3501 et seq., because it seeks collection of information by an agency from specific individuals or entities as part of an administrative action or investigation. EPA may use any information submitted under this Order in an administrative, civil judicial or criminal action.

30. ADM agrees to the terms of this Order.

31. This Order is effective on the date of signature by the Director of the Air and Radiation Division. This Order will terminate on December 31, 2011, provided that ADM has complied with all terms of the Order throughout its duration.

January 19, 2011

Date



Michael Kruley, Glycols Plant Manager  
Archer Daniels Midland Company

2/4/11

Date



Cheryl L. Newton, Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Betty Williams, certify that I sent the executed Administrative Consent Order,  
EPA Order No. EPA-5-11-113(a)-IL-01, by Certified Mail, Return Receipt Requested, to:

Mr. Michael Kruley  
Plant Manager  
ADM BioProducts  
Archer Daniels Midland Company  
P.O. Box 1470  
Decatur, Illinois 62525

I also certify that I sent a copy of the executed Administrative Consent Order, EPA Order  
No. EPA-5-11-113(a)-IL- 01, by First Class Mail to:

Ray Pilapil, Manager  
Bureau of Air-Compliance and Enforcement Section  
Illinois Environmental Protection Agency  
Springfield, Illinois

on the 7<sup>th</sup> day of February 2011.

  
Betty Williams,  
Administrative Program Assistant,  
Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0005 8915 9440