



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

AUG 17 2012

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sandra Andres
General Manager
Andres & Wilton Farmers Grain and Supply Company
28451 South Route 45 Andres
Peotone, Illinois 60468

Re: Notice of Violation
Andres & Wilton Farmers Grain and Supply Company of Peotone, Illinois

Dear Ms. Andres:

The U.S. Environmental Protection Agency is issuing the enclosed Notice and Finding of Violation (NOV) to Andres & Wilton Farmers Grain and Supply Company. We find that you are violating the Illinois State Implementation Plan at your Peotone, Illinois facility, as set forth in the enclosed NOV.

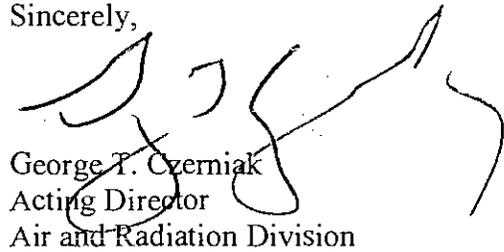
We have several enforcement options under Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. 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 EPA contact in this matter is Jennifer Wilson. You may call her at 312-353-3115 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



George T. Czerniak
Acting Director
Air and Radiation Division

Enclosure

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

modification of any existing emission source of air pollution equipment, without first obtaining a construction permit from the Illinois Environmental Protection Agency (IEPA).

6. The rule at 35 Ill. Admin. Code § 201.143 provides that no person shall cause or allow the operation of any emission source or new air pollution control equipment, for which a construction permit is required, without first obtaining an operating permit from IEPA.

7. On February 21, 1980, EPA approved IPCB Rule 203 as part of the federally enforceable SIP for the State of Illinois. 45 Fed. Reg. 11493. IPCB Rule 203 is codified at 35 Ill. Admin. Code §§ 212.461 and 212.462.

8. The rule at 35 Ill. Admin. Code § 212.461(b) sets forth certain housekeeping practices that all grain-handling and grain-drying operations must implement regardless of size. These include:

- a. Air pollution control devices shall be checked daily and cleaned as necessary to insure proper operation.
- b. Cleaning and Maintenance.
 - i. Floors shall be kept swept and cleaned from boot pit to cupola floor. Roof or bin decks and other exposed flat surfaces shall be kept clean of grain and dust that would tend to rot or become airborne.
 - ii. Cleaning shall be handled in such a manner as not to permit dust to escape to the atmosphere.
 - iii. The yard and surrounding area, including but not limited to ditches and curbs, shall be cleaned to prevent the accumulation of rotting grain.
- c. Dump pit.
 - i. Aspiration equipment shall be maintained and operated.
 - ii. Dust control devices shall be maintained and operated.
- d. Head House. The head house shall be maintained in such a fashion that visible quantities of dust or dirt are not allowed to escape to the atmosphere.
- e. Property. The yard and driveway of any source shall be asphalted, oiled, or equivalently treated to control dust.
- f. Housekeeping Check List. Housekeeping check lists to be developed by the Agency shall be completed by the manager and maintained on the premises for inspection by Agency personnel.

9. The rule at 35 Ill. Admin. Code § 212.462 applies to elevators with a throughput greater than 300,000 bushels/year.

10. The rule at 35 Ill. Admin. Code § 212.462 provides that “existing grain-handling operations with a total annual grain throughput of 300,000 bushels or more shall apply for an operating permit pursuant to Rule 103 of Part 1.”

11. The rule at 35 Ill. Admin. Code § 212.462(b)(1)(A) requires that grain-handling operations apply induced draft to major dump pits and their associated equipment (including, but not limited to, boots, hoppers and legs) to such an extent that a minimum face velocity is maintained, at the effective grate surface, sufficient to contain particulate emissions generated in unloading operations in accordance with the formula provided.

12. The rule at 35 Ill. Admin. Code § 212.462(b)(1)(B) requires that the induced draft air stream for grain-handling facilities having a grain throughput of not more than 2 million bushels per year is confined and conveyed through air pollution control equipment which has an overall rated and actual particulate collection efficiency of not less than 90% by weight.

13. The rule at 35 Ill. Admin. Code § 212.462(b)(1)(D) also requires that means or devices (including, but not limited to, quick-closing doors, air curtains or wind deflectors) shall be employed to prevent a wind velocity in excess of 50% of the induced draft face velocity at the pit; provided, however, that such means or devices do not have to achieve the same degree of prevention when the ambient air wind exceeds 25 mph.

14. The rule at 35 Ill. Admin. Code § 212.462(c) requires pollution controls for the internal transferring area. The rule provides:

(a) Internal transferring area shall be enclosed to the extent necessary to prohibit visible particulate matter emissions directly into the atmosphere.

(b) Air contaminants collected from internal transfer operations for grain-handling facilities having a grain throughput of not more than 2 million bushels per year or located outside a major population area shall be conveyed through air pollution control equipment which has a rated and actual particulate removal efficiency of not less than 90% by weight prior to release into the atmosphere.

15. The rule at 35 Ill. Admin. Code § 212.462(d)(1) requires truck and hopper car loading to “employ socks, sleeves or equivalent devices which extend 6 inches below the sides of the receiving vehicle.”

16. The rule at 35 Ill. Admin. Code § 212.463 requires operating permits for dryers with a total grain-drying capacity in excess of 750 bushels/hour at five percent moisture extraction.

Factual Background

17. Andres & Wilton owns and operates a grain elevator located at 28451 South Route 45 Andres, Peotone, Will County, Illinois 60468 (the Facility). The Facility was established in 1913.

18. The Facility processes soybeans, corn, oats and wheat with the aid of trucks, dump pits, belt conveyors, two dryers, and storage bins in a manner that creates particulate matter.

19. The Facility has a total annual grain throughput of at least 300,000 bushels and not more than 2 million bushels per year. During 2011, the Facility processed 1.36 million bushels of grain.

20. The Facility has two column dryers. One was installed in 1995 and has a design capacity of 1,210 bushels/hour at 5% moisture extraction. The other dryer was installed in 2007 and can process 1,800 bushels per hour at 5% moisture extraction. The dryers do not have air pollution construction permits or air pollution operating permits.

21. EPA performed an inspection at the Facility on July 16, 2012, and observed the following:

- a. Operating Permits: The Facility did not have an air pollution operating permit and representatives of the Facility did not produce air pollution construction or operating permit applications for the Facility or the dryers.
- b. Dump pit area: The dump pit sheds were open at both ends and the doors on the sheds were not used. The dump pits did not have induced draft, and, during the inspection, a pile of grain had accumulated on the floor grating of the dump pit in use. The pile was slowly draining to the piping beneath the floor. Visible emissions were observed while trucks were unloading.
- c. Property: Dirt and gravel driveways were dusty. Grain was scattered on the dirt driveways and on the yard of the Facility.
- d. Internal Transferring Area: Air contaminants from the internal transferring area were not collected and conveyed to any pollution control device.
- e. Loadout Areas: sleeves or equivalent devices were not extending into trucks that were being loaded. Visible emissions were observed while trucks were being loaded.

22. During the inspection, representatives of the Facility indicated that the roads are not watered except during harvest time.

Violations

23. By failing to obtain an air pollution operating permit for the Facility, Andres & Wilton is in violation of 35 Ill. Admin. Code § 212.462 of the Illinois SIP.

24. By failing to obtain air pollution construction permits for the dryers, Andres & Wilton is in violation of 35 Ill. Admin. Code § 201.142 of the Illinois SIP.

25. By failing to obtain air pollution operating permits for the dryers, Andres & Wilton is in violation of 35 Ill. Admin. Code § 201.143 and 35 Ill. Admin. Code § 212.463 of the Illinois SIP.

26. By operating dump pits without induced draft, Andres & Wilton is in violation of 35 Ill. Admin. Code § 212.462(b)(1)(A) and 35 Ill. Admin. Code § 212.462(b)(1)(B) of the Illinois SIP.

27. By failing to employ a means or device, including quick-closing doors, air curtains or wind deflectors, to prevent a wind velocity in excess of 50% of the induced draft face velocity at the dump pit area, Andres & Wilton is in violation of 35 Ill. Admin. Code § 212.462(b)(1)(D) of the Illinois SIP.

28. By failing to treat the yard and driveway in order to control dust, Andres & Wilton is in violation of 35 Ill. Admin. Code § 212.461(b)(5).

29. By failing to collect and convey the contaminants from the internal transferring area through air pollution control equipment which has a rated and actual particulate removal efficiency of not less than 90% by weight, Andres & Wilton is in violation of 35 Ill. Admin. Code § 212.462(c) of the Illinois SIP.

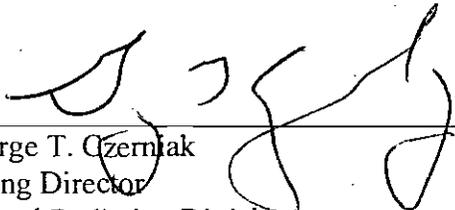
30. By failing to properly perform housekeeping on the yard and surfaces at the Facility, Andres & Wilton is in violation of 35 Ill. Admin. Code § 212.461(b).

31. By failing to use socks or sleeves that extend six inches into trucks during loading, Andres & Wilton is in violation of 35 Ill. Admin. Code § 212.462(d)(1).

32. Violations of the SIP constitute violations of the CAA.

8/17/12

Date


George T. Czerniak
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

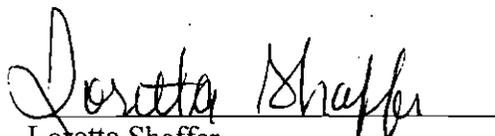
I, Loretta Shaffer, certify that I sent a Notice of Violation, No. EPA-5-12-IL-14, by Certified Mail, Return Receipt Requested, to:

Sandra Andres
General Manager
Andres & Wilton Farmers Grain and
Supply Company
28451 South Route 45 Andres
Peotone, Illinois 60468

I also certify that I sent copies of the Notice of Violation by first-class mail to:

Ray Pilapil, Manager
Bureau of Air
Compliance and Enforcement Section
Illinois Environmental Protection Agency
1201 Grand Avenue East
Springfield, Illinois 62702

On the 17 day of August 2012


Loretta Shaffer
Administrative Program Assistant
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7667 5420