

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Lloyd L. Eagan, Regional Director

Janesville Service Center  
2514 Morse Street  
Janesville, Wisconsin 53545  
Telephone 608-743-4800  
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CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

May 7, 2008

Casetrack ID#2008-SCEE-017

Mr. Dale Drachenberg, Vice President Operations  
Didion Milling, Inc.  
501 South Williams Street  
Cambria, WI 53923

Subject: Notice of Violation

Dear Mr. Drachenberg:

Based on information compiled by the Department, we are alleging that Didion Milling is operating in violation of air pollution control construction permit numbers 06-DCF-166 and 07-DCF-003, Chapter 285, Wis. Stats., and NR 407, Wis. Adm. Code which govern air pollution.

After reviewing Didion's response to Mike Sloat's February 19, 2008 Letter of Inquiry, the Department is alleging that Didion failed to record baghouse pressure drops during the time period requested of October 2006 and February 2008.

With regards to Permit Number 07-DCF-003 and baghouses P10/S10/C10; P11,P12N/S11/C11; P21,22,23/14/C14; and P20/S22/C22 the Department is alleging the following violations of permit conditions.

I.L.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code  
I.M.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code  
I.O.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code  
I.R.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code

With regards to Permit Number 06-DCF-1663 and baghouses P01/S01/C01; P08/S08/C08; P10/S10/C10; P11/S11/C11; P12/S12/C12; P14, 21, 22, 23/S14/C14; P15/S17/C17; P19/S21/C21; and P20/S22/C22 the Department is alleging the following violations of permit conditions.

I.J.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code  
I.K.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code  
I.L.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code  
I.M.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code  
I.N.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code  
I.O.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code

I.P.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code  
I.Q.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code  
I.R.1.b.(3) - s. 285.65(3), Wis. Stats. And s. NR 407.09(1)(c), Wis. Admin. Code

For the time period of October 19, 2006 until February 19, 2008, there are no records for C21 and C22. Records for C08 are only available for January 1, 2007 until February 19, 2008. Section NR 439.04(2), Wis. Admin. Code requires that all records be kept for 5 years

Section NR 439.055(3)(b), Wis. Adm. Code states that the pressure drop monitoring device shall be accurate to within 5% of the pressure drop being monitored or within  $\pm 1$  inch of water column, whichever is greater.

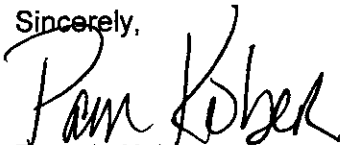
To summarize, we allege Didion failed to operate equipment within the ranges specified in the permit, as follows: C10 had 532 readings of baghouse pressure drop outside the allowable range of 2.0-5.0 inches of water, C11 had 389 readings, C14 had 76 readings, C01 had 7 readings etc. outside the pressure drop allowable range of 2.0 – 5.0 inches. C17 had 16 readings outside the allowable pressure drop range of 2.0 – 5.0 inches.

Please respond by **May 23, 2008** with an explanation of the circumstances that led to the alleged violations, the corrective actions that have been taken, and what Didion will do to ensure future compliance.

Please be advised that the Department is authorized to seek forfeitures of up to \$25,000 per violation per day pursuant to s. 285.87, Wis. Stats. The Department has not made a final decision on enforcement. Your response will help us determine our options.

If you have questions regarding this letter please contact me at 608-743-4852. If you have technical questions pertaining to your air pollution control construction permit contact Michael Sloat at 608-768-5693.

Sincerely,



Pamela Kober  
Environmental Enforcement Specialist

cc: Michael Sloat – SCR  
Martha Makholm – AM/7  
US EPA – Region 5