



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Ruthe E. Badger, Regional Director

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

July 23, 2002

Mr. John Didion  
Didion Milling, Inc.  
501 South Williams Street  
Cambria, WI 53923

Casetrack ID# 2001-SCEE-014  
FID # 111081520

**Subject: NOTICE OF VIOLATION**

Dear Mr. Didion:

According to information compiled by the Department Didion Milling is allegedly operating in violation of ss. NR 406.01(1)(ce). and NR 440.47(h)., Wis. Adm. Code. These codes are required for those grain storage facilities that have an average of greater than 5500 tons per month of throughput and greater than 1 million bushels of storage capacity.

The claim regarding total storage capacity was from information submitted by Didion Milling, Inc. to Michael Sloat in a meeting held at South Central Region Headquarters on June 6, 2002. This information identifies that at some point in 1999, total storage capacity became greater than the 1 million-bushel threshold as allowed in NR 440.47(2) (h), Wis. Admin. Code.

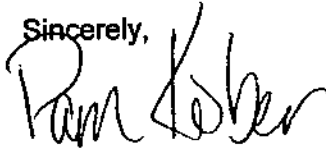
A review of emission inventory information submitted to the Department from 1998 through 2002 shows that Didion Milling allegedly exceeded the 5500 ton per month average as allowed in NR 406.01(1)(ce), Wis. Admin. Code for that 4 year time period.

According to the Department's records, Didion Milling, Inc. is classified as a major air source for particulate matter. The United States Environmental Protection Agency's Clean Air Act enforcement response policy designates certain violations of federally enforceable requirements as High Priority Violations (HPV). The Department believes that violations alleged in this Notice meet the federal criteria of High Priority Violations. Under the federal HPV enforcement policy, the Department must seek an appropriate resolution to the alleged violations and/or refer Didion Milling, Inc. to the Wisconsin Department of Justice on or before March 8, 2003. Under section NR 285.87(1), Wis. Stats. the Department is authorized to seek \$10 to \$25,000 per violation per day.

Please respond to this letter within 15 days of receipt with how Didion Milling, Inc. plans to address these allegations of noncompliance with Wisconsin Administrative Code and prevent future occurrences. In addition, please explain why Didion constructed 11 silos when your permit exemption was for 7 silos.

If you have technical questions please contact Michael Sloat at (608) 963-1407. If you have questions regarding this letter or possible enforcement action please contact me at (608) 743-4852.

Sincerely,

A handwritten signature in black ink that reads "Pam Kober". The signature is written in a cursive style with a large initial "P" and "K".

Pamela Kober  
Environmental Enforcement Specialist

cc: Michael Sloat - SCR  
Kristen Larson - AM7  
EPA - Region 5