



**May 23, 2008**

Pamela Kober  
Environmental Enforcement Specialist  
Wisconsin Dept. of Natural Resources  
2514 Morse Street  
Janesville, WI 53545-0249

Re: REVISED Notice of Violation – May 15, 2008

Dear Ms. Kober:

By letter dated May 15, 2008, the Department of Natural Resources (DNR) issued a revised Notice of Violation (NOV) to Didion Milling, Inc. (Didion) alleging Didion failed to maintain adequate baghouse pressure drop records for baghouses C08, C21 and C22, and failed to operate certain baghouses within the range identified in Didion's air permits 07-DCF-003 and 06-DCF-166. You requested a response to the NOV by May 23, 2008. The purpose of this letter is to provide Didion's response.

You have asked us to provide the following information for each allegation: 1) the circumstances that led to the alleged violation, 2) the corrective actions taken by Didion, and 3) the actions Didion will take to ensure future compliance. That information is provided below:

Incomplete Baghouse Pressure Drop Records

1. At the enforcement conference on March 3, 2008, Didion explained to DNR that the failure to maintain proper monitoring records was due to an employee who failed to fulfill his responsibilities and repeatedly lied to management about these failures. As a result of this employee's actions, Didion had been unable to locate a complete set of baghouse pressure drop records. At the enforcement conference, we hand-delivered to you those records we have been able to locate. Following the enforcement conference Didion searched for, but has been unable to locate, any additional baghouse pressure drop records.
2. Didion has taken the following actions to correct the failure to maintain adequate baghouse pressure drop records: upon the discovery of his failure to monitor and report, Didion terminated the employee in question. Didion has since assigned oversight of the baghouse pressure drop monitoring and record keeping to the Environmental Manager, Dan Ketter, while the Vice President of Operations, Dale Drachenberg has assumed the responsibility for assuring the required records are being kept.
3. Since the time Didion Milling became aware of these baghouse pressure drop record keeping deficiencies, Didion has attained and remains in compliance with the recordkeeping obligations for these baghouses.

Failure To Operate Baghouses Within The Range Identified In Didion's Air Permits

1. As explained above, the employee responsible for monitoring and recording the baghouse pressure drops failed to fulfill his responsibilities and repeatedly lied to management about these failures. His failure to monitor and maintain proper records led to insufficient information being relayed to Didion's management. Without sufficient knowledge that the baghouse pressure drop readings were outside the allowable range, Didion's management was not aware of the problem and so was unable to take action to correct it.

Also, the initial assessment that a minimum pressure drop of 2 inches of water column across each of these baghouses is needed to adequately control emissions may have been in error. Didion is currently in the process of investigating whether these baghouses perform adequately at a pressure drop of less than 2 inches. If this is confirmed, a permit modification will be requested to change the acceptable pressure drop range.

2. Earlier this year, Didion generated a revised Malfunction Prevention & Abatement Plan and added a section into this plan that specifically addresses baghouses. A copy of the revised plan was submitted to the WDNR for review on 4/1/08. This plan will be amended if any additional malfunction prevention & abatement improvement opportunities are identified as Didion completes the investigation of baghouse performance.
3. As explained above, Didion took immediate action upon discovering that the employee responsible for monitoring and maintaining baghouse pressure drop records was not performing the duties required by Didion's air permits. Because Didion's management entrusted its employee to operate the facility in compliance with its air permits, Didion believed in good faith that its employee would do so. However, once Didion was aware of the problem, we took immediate action to correct it. Since then, Didion has properly maintained all baghouse pressure drop records and is evaluating the pressure drop readings to determine if 2 to 5 inches is the proper operating range for all baghouses.

We hope that Didion's good faith efforts to correct these problems and ensure future compliance in this respect will enable DNR to conclude that no further enforcement action is warranted with respect to these issues.

Thank you for the opportunity to provide this additional information. Please let me know if you have any further questions.

Sincerely,  
Didion Milling, Inc.



Dale Drachenberg  
Vice President of Operations

Cc: Michael Sloat – DNR