



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

April 17, 2013

CERTIFIED MAIL NO 9171 9690 0935 0032 9963 23

Perdue Grain & Oilseed LLC
Mr. C. Wayne Black
PO Box 1537
Salisbury, MD 21802-1537

Re: Revocation of Plan Approval No. 36-03189A
Perdue Grain & Oil Seed, LLC
Phase 1 Grain Elevator Project
Conoy Township, Lancaster County

Dear Mr. Black:

In accordance with the provisions of Section 6.1(e) of the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, as amended, 35 P.S. Section 4006.1(e), the Department hereby revokes the above referenced plan approval for the following reason(s):

In a letter dated 4/16/13 (attached), Perdue requested that DEP revoke the plan approval.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717.787.3483) FOR MORE INFORMATION.

Mr. C. Wayne Black

- 2 -

April 17, 2013

If you have any questions, please call Thomas Hanlon, P.E., Air Quality Program, at 717.705.4862.

Sincerely,

A handwritten signature in cursive script that reads "William R. Weaver".

William R. Weaver
Regional Manager
Air Quality Program

Enclosure

cc: Southcentral Region File 36-03189A
Permits



PERDUE AGRIBUSINESS LLC
P.O. Box 1537 • Salisbury MD 21802-1537 • Office: 410-543-3000

VIA E-MAIL & U.S. MAIL

April 16, 2013

Mr. Thomas J. Hanlon, P.E.
Environmental Engineering Manager
Air Quality Program
PA Department of Environmental Protection
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110

Re: Perdue Grain & Oilseed, LLC
Conoy Township, Lancaster County
Plan Approval No. 36-03189A

Dear Mr. Hanlon:

Perdue Grain & Oilseed LLC ("Perdue") respectfully requests that the Pennsylvania Department of Environmental Protection ("DEP") withdraw Plan Approval No. 36-03189A, which was issued by DEP on March 29, 2013 for the Phase 1 Grain Elevator. Perdue will promptly resubmit the Phase I Plan Approval application as an amendment to the Phase 2 Plan Approval Application No. 36-05158A, which is currently pending review before DEP.

Please let me know if you have any questions. I can be reached at (252) 209-1540.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Wayne Black".

C. Wayne Black, Perdue Environmental Director
Perdue AgriBusiness

cc: William R. Weaver, Air Program Manager
Brian Wetzel, Air Quality Permitting Engineer
Craig Lambeth, DEP Supervising Attorney
Herbert D. Frerichs, Jr., General Counsel
John Schmelzle, RETTEW
Maxine M. Woelfling, Esquire
Peter J. Fontaine, Esquire