

DEPARTMENT OF ENVIRONMENTAL QUALITY
 AIR QUALITY DIVISION
 ACTIVITY REPORT: Telephone Notes

A576424989

FACILITY: Ventra Evert, LLC		SRN / ID: A5764
LOCATION: 601 W. Seventh Street, EVART		DISTRICT: Cadillac
CITY: EVART		COUNTY: OSCEOLA
CONTACT:		ACTIVITY DATE: 04/24/2014
STAFF: Caryn Owens	COMPLIANCE STATUS: Pending	SOURCE CLASS: MAJOR
SUBJECT: Telephone call between Malcom Mead-O'Brien, Shane Nixon and Caryn Owens of DEQ-AQD regarding the VN sent to Ventra Evert on April 9, 2014 and the Consent Order from August 2009.		
RESOLVED COMPLAINTS:		

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

Air Quality Division
 Enforcement

TELEPHONE CALL RECORD

PROJECT No./Name: Ventra Evert, LLC

COMPANY Ventra Evert, LLC
 ADDRESS 601 W Seventh Street
 CITY, STATE, ZIP Evert, Osceola County, MI
 CONTACTS District staff: Shane Nixon, Caryn Owens
 PHONE No. Shane 231-876-4413; Caryn 231-876-4414

DATE	DETAILS OF CALL	Notes of Malcolm Mead-O'Brien Enforcement
------	-----------------	---

MC = MY CALL; CR = CALL RECEIVED; RMC = RETURNED MY CALL

2014 April 24 1:15pm

CR: Discussion of April 9, 2014 VN to Ventra Evert citing 123 days of not keeping records under ROP EUFACIA-Line, Conditions VI.3 and 9.

Shane had previously warned Ventra of the deficiency of monitoring and recording air flow. Air flow monitoring may be occurring, but the semi/annual reports identified 123 days of no recording. The facility is not checking whether the monitor is recording air flow.

The air flow monitor is used to assure capture efficiency drawn into the RTO by the ID fan. Without this Ventra doesn't have documentation of capture efficiency and cannot demonstrate compliance with the required destruction efficiency.

The cited violation is subject to HPV under criterion 7:

Violations that involve testing, monitoring, recordkeeping, or reporting that substantially interfere with enforcement or determining the sources compliance with applicable emission limits.

We also discussed relevance of Consent Order 16-2009, effective 8/25/2009 which remains active. Under the Consent Order, paragraph 17 applies: "... if the Company fails to comply with any other provisions of Exhibit A or this Consent Order, the Company is subject to a stipulated fine of up to \$500.00 per violation."

Next Steps:

Staff will evaluate the VN response, which is due 4/29/2014.

Staff will conduct a site inspection within the next few weeks to identify facility compliance status. Caryn is finalizing the ROP renewal and the site inspection will be helpful toward completing that document as well. Staff will ascertain MAERs reporting is up to date.

If in the VN response Ventra doesn't demonstrate it was in compliance, then staff will draft a referral for escalated enforcement, and include any additional compliance concerns identified during the site investigation.

Enforcement staff will likely propose a new ACO to replace/supersede 16-2009.

Caryn will proceed with development of the ROP renewal, and may reference any compliance schedule in Appendix 2. If Ventra agrees in writing to entry of a Consent Order, that may be referenced in Appendix 2, unless the consent order is entered prior to issuance of the ROP renewal, in which case the new consent order could instead be referenced.

MMO 4/24/2014 2pm

NAME Caryn Owens

DATE 4/24/14

SUPERVISOR 