STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING DISTRICT OFFICE

GRETCHEN WHITMER
GOVERNOR

LIESL EICHLER CLARK
DIRECTOR

March 23, 2022

Mr. Brett Fowler, Owner
DT Fowler Manufacturing Incorporated
101 North Maple Leaf Road
P.O. Box 70
Lapeer, Michigan 48446

SRN: B2507, Lapeer County

Dear Mr. Fowler:

VIOLATION NOTICE

On February 9, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of DT Fowler Manufacturing Inc. (DT Fowler Manufacturing) located at 930 S. Saginaw Street, Lapeer, Michigan. The purpose of this inspection was to determine DT Fowler Manufacturing's compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); the Air Pollution Control Rules; and to investigate a recent complaint which we received on February 8, 2022, regarding (fugitive dust attributed to DT Fowler Manufacturing's operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Portable wood shredder	Rule 901(b)	Fallout of shredded wood fibers detected in sample collected west of the DT Fowler Manufacturing site.

Prior to arrival at the site, AQD staff collected a sample of particulate matter from snow adjacent to a public sidewalk. The location was a short distance to the west of the abandoned rail line that is west of the DT Fowler Manufacturing site.

The particulate sample was submitted to EGLE's contract lab, Merit Laboratories, Inc. A copy of the lab report is attached to this letter. It concludes, in part, "Stereomicroscopy and Polarized Light Microscopy (PLM) shows that this sample contains ragged fiber clusters of various sizes that match sawdust and have the optical characteristics of sawdust (60%). Microchemical analysis on the yellow, fibrous clusters was positive for lignan, a significant component of wood."

Further discussion of the results states, in part, “The wood particles are clusters of fibers which match the optical properties of mechanically ground wood, some small particles had rows “bordered pits” and “Maltese crosses”. Some of the sawdust particles have resin on them, partially obscuring the wood. The particles turned ruby, red with phloroglucinol followed by concentrated HCl. This is a positive test for lignin, a significant component of wood.”

In the professional judgment of AQD staff, the fallout which was detected off of DT Fowler Manufacturing’s site constitutes a violation of Rule 901(b) of the administrative rules promulgated under Act 451.

Rule 901 of the administrative rules reads as follows:

“Rule 901. Notwithstanding the provisions of any other rule, a person shall not cause or permit the emission of an air contaminant or water vapor in quantities that cause, alone or in reaction with other air contaminants, either of the following:
(a) Injurious effects to human health or safety, animal life, plant life of significant economic value, or property.
(b) Unreasonable interference with the comfortable enjoyment of life and property.”

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by April 13, 2022 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the written response to EGLE, AQD, Lansing District, at Constitution Hall, P.O. Box 30242, First Floor South, Lansing, Michigan 48909 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If DT Fowler Manufacturing believes the above observations or statements are inaccurate or do not constitute violations of the applicable legal requirements cited, please provide appropriate factual information to explain your position.

Thank you for your attention to resolving the violation cited above and for the cooperation that was extended to me during my inspection of DT Fowler Manufacturing.

If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,

Daniel A. McGeen
Environmental Quality Analyst
Air Quality Division
517-648-7547

Enclosure
cc: Mr. Dale Kerbyson, City of Lapeer
Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Brad Myott , EGLE

Analytical Laboratory Report

Report ID: S33480.01(01)
Generated on 03/15/2022

Report to

Attention: Daniel McGeen
EGLE, Air Quality Division
525 West Allegan Street
P.O. Box 30242, 1st Fl. South
Lansing, MI 48909

Phone: 517-648-7547 FAX:
Email: mcgeend@michigan.gov

Report produced by

Merit Laboratories, Inc.
2680 East Lansing Drive
East Lansing, MI 48823

Phone: (517) 332-0167 FAX: (517) 332-6333

Contacts for report questions:
John Laverty (johnlaverty@meritlabs.com)
Barbara Ball (bball@meritlabs.com)

Report Summary

Lab Sample ID(s): S33480.01
Project: 2/9/2022 DT Fowler complaint invest.
Collected Date(s): 02/09/2022
Submitted Date/Time: 03/03/2022 11:40
Sampled by: Daniel A. McGeen
P.O. #: 30242

Table of Contents

Maya Murshak
Technical Director

Analytical Laboratory Report

General Report Notes

Analytical results relate only to the samples tested, in the condition received by the laboratory.
Methods may be modified for improved performance.
Results reported on a dry weight basis where applicable.
'Not detected' indicates that parameter was not found at a level equal to or greater than the reporting limit (RL).
When MDL results are provided, then 'Not detected' indicates that parameter was not found at a level equal to or greater than the MDL.
40 CFR Part 136 Table II Required Containers, Preservation Techniques and Holding Times for the Clean Water Act specify that samples for acrolein and acrylonitrile need to be preserved at a pH in the range of 4 to 5 or if not preserved, analyzed within 3 days of sampling.
QA/QC corresponding to this analytical report is a separate document with the same Merit ID reference and is available upon request.
Full accreditation certificates are available upon request. Starred (*) analytes are not NELAP accredited.
Samples are held by the lab for 30 days from the final report date unless a written request to hold longer is provided by the client.

Limits for drinking water samples, are listed as the MCL Limits (Maximum Contaminant Level Concentrations)
PFAS requirement: Section 9.3.8 of U.S. EPA Method 537.1 states "If the method analyte(s) found in the Field Sample is present in the FRB at a concentration greater than 1/3 the MRL, then all samples collected with that FRB are invalid and must be recollected and reanalyzed."
Samples submitted without an accompanying FRB may not be acceptable for compliance purposes.
Wisconsin PFAs analysis: MDL = LOD; RL = LOQ. LOD and LOQ are adjusted for dilution.

Report Narrative

There is no additional narrative for this analytical report

Laboratory Certifications

Authority	Certification ID
Michigan DEQ	#9956
DOD ELAP/ISO 17025	#69699
WBENC	#2005110032
Ohio VAP	#CL0002
Indiana DOH	#C-MI-07
New York NELAC	#11814
North Carolina DENR	#680
North Carolina DOH	#26702
Alaska CSLAP	#17-001
Pennsylvania DEP	#68-05884
Wisconsin DNR	FID# 399147320

Qualifier Descriptions

Qualifier	Description
!	Result is outside of stated limit criteria
B	Compound also found in associated method blank
E	Concentration exceeds calibration range
F	Analysis run outside of holding time
G	Estimated result due to extraction run outside of holding time
H	Sample submitted and run outside of holding time
I	Matrix interference with internal standard
J	Estimated value less than reporting limit, but greater than MDL
L	Elevated reporting limit due to low sample amount
M	Result reported to MDL not RDL
O	Analysis performed by outside laboratory. See attached report.
R	Preliminary result
S	Surrogate recovery outside of control limits
T	No correction for total solids
X	Elevated reporting limit due to matrix interference
Y	Elevated reporting limit due to high target concentration
b	Value detected less than reporting limit, but greater than MDL
e	Reported value estimated due to interference
j	Analyte also found in associated method blank
p	Benzo(b)Fluoranthene and Benzo(k)Fluoranthene integrated as one peak.
x	Preserved from bulk sample

Glossary of Abbreviations

Abbreviation	Description
RL/RDL	Reporting Limit
MDL	Method Detection Limit
MS	Matrix Spike
MSD	Matrix Spike Duplicate
SW	EPA SW 846 (Soil and Wastewater) Methods
E	EPA Methods
SM	Standard Methods
LN	Linear
BR	Branched

Analytical Laboratory Report

Sample Summary (1 samples)

Sample ID	Sample Tag	Matrix	Collected Date/Time
S33480.01	001	Solid	02/09/22 09:43

Analytical Laboratory Report

Lab Sample ID: S33480.01
Sample Tag: 001
Collected Date/Time: 02/09/2022 09:43
Matrix: Solid
COC Reference:

Sample Containers

#	Type	Preservative(s)	Refrigerated?	Arrival Temp. (C)	Thermometer #
1	Petri Dish	None	No	RT	IR

Other / Misc.

Method: , Run Date: 03/15/22 16:00, Analyst: MGG

Parameter	Result	RL	MDL	Units	Dilution	CAS#	Flags
Misc. Special Project*	Completed				1		1

1-See Summary of Results.

Merit Laboratories Login Checklist

Lab Set ID: S33480

Client: MDEQ AIR (MI Dept. of Environment, Great Lakes, and Energy)

Project: 2/9/2022 DT Fowler complaint invest.

Submitted: 03/03/2022 11:40 Login User: JRM

Attention: Daniel McGeen
Address: EGLE, Air Quality Division
525 West Allegan Street
P.O. Box 30242, 1st Fl. South
Lansing, MI 48909

Phone: 517-648-7547 FAX:
Email: mcgeend@michigan.gov

Selection				Description	Note
Sample Receiving					
01.	☐ Yes	☒ No	☐ N/A	Samples are received at 4C +/- 2C Thermometer #	RT
02.	☐ Yes	☒ No	☐ N/A	Received on ice/ cooling process begun	
03.	☒ Yes	☐ No	☐ N/A	Samples shipped	USPS
04.	☐ Yes	☒ No	☐ N/A	Samples left in 24 hr. drop box	
05.	☒ Yes	☐ No	☐ N/A	Are there custody seals/tape or is the drop box locked	
Chain of Custody					
06.	☒ Yes	☐ No	☐ N/A	COC adequately filled out	
07.	☒ Yes	☐ No	☐ N/A	COC signed and relinquished to the lab	
08.	☒ Yes	☐ No	☐ N/A	Sample tag on bottles match COC	
09.	☐ Yes	☒ No	☐ N/A	Subcontracting needed? Subcontacted to:	
Preservation					
10.	☒ Yes	☐ No	☐ N/A	Do sample have correct chemical preservation	
11.	☐ Yes	☐ No	☒ N/A	Completed pH checks on preserved samples? (no VOAs)	
12.	☐ Yes	☒ No	☐ N/A	Did any samples need to be preserved in the lab?	
Bottle Conditions					
13.	☒ Yes	☐ No	☐ N/A	All bottles intact	
14.	☒ Yes	☐ No	☐ N/A	Appropriate analytical bottles are used	
15.	☒ Yes	☐ No	☐ N/A	Merit bottles used	
16.	☒ Yes	☐ No	☐ N/A	Sufficient sample volume received	
17.	☐ Yes	☒ No	☐ N/A	Samples require laboratory filtration	
18.	☒ Yes	☐ No	☐ N/A	Samples submitted within holding time	
19.	☐ Yes	☐ No	☒ N/A	Do water VOC or TOX bottles contain headspace	

Corrective action for all exceptions is to call the client and to notify the project manager.

Client Review By: _____ Date: _____

Merit Laboratories, Inc.

2680 East Lansing Dr., East Lansing, MI 48823
Phone (517) 332-0167 Fax (517) 332-4034
www.meritlabs.com

C.O.C. PAGE # 1 OF 1

CHAIN OF CUSTODY RECORD

REPORT TO

CONTACT NAME: Daniel A. McGeen
COMPANY: EGLE, Air Quality Division
ADDRESS: 525 W. Allegan, Lansing District Office, 1st Floor S.
CITY: Lansing STATE: MI ZIP CODE: 48909
PHONE NO.: 517-648-T547 FAX NO.: 517-241-3571 P.O. NO.: 30242
E-MAIL ADDRESS: mcgeend6michigan.gov QUOTE NO.:

INVOICE TO

☐ SAME
CONTACT NAME: Amy Robinson, QA Coordinator
COMPANY: EGLE, Air Quality Division
ADDRESS: 525 W. Allegan, 2 South, P.O. Box 30260
CITY: Lansing STATE: MI ZIP CODE: 48909
PHONE NO.: 517-242-6561 E-MAIL ADDRESS: robinsona10@michigan.gov

PROJECT NO./NAME: 2/9/2022 T Fowler complaint invest- SAMPLER(S) - PLEASE PRINT/SIGN NAME: Daniel A. McGeen

TURNAROUND TIME REQUIRED ☐ 1 DAY ☐ 2 DAYS ☐ 3 DAYS ☒ STANDARD ☐ OTHER

DELIVERABLES REQUIRED ☒ STD ☐ LEVEL II ☐ LEVEL III ☐ LEVEL IV ☐ EDD ☐ OTHER

MATRIX CODE: GW=GROUNDWATER WW=WASTEWATER S=SOIL L=LIQUID SD=SOLID SL=SLUDGE DW=DRINKING WATER O=OIL WP=WIPE A=AIR W=WASTE

ANALYSIS (ATTACH LIST IF MORE SPACE IS REQUIRED)

Certifications
☐ OHIO VAP ☐ Drinking Water
☐ DoD ☐ NPDES

Project Locations
☐ Detroit ☐ New York
☒ Other Lapeer

MERIT LAB NO. (FOR LAB USE ONLY)	YEAR DATE	YEAR TIME	SAMPLE TAG IDENTIFICATION-DESCRIPTION	MATRIX	# OF BOTTLES	# Containers & Preservatives: NONE	HCl	HNO_3	H_2SO_4	NaOH	MeOH	OTHER	Microscope	Special Instructions
33480.01	2/9/2022	9:43 AM	001	SD	1	X							X	Possible natural plant matter, or wood fibers from shredding wood pallets. Please compare with lab sample ID S28181-01

RELINQUISHED BY: SIGNATURE/ORGANIZATION: ☐ Sampler EGLE, AQD DATE: 2/15/2022 TIME: 9:10 AM
RECEIVED BY: SIGNATURE/ORGANIZATION: DATE: TIME:
RELINQUISHED BY: SIGNATURE/ORGANIZATION: UPS DATE: 3/3/22 TIME: 1140
RECEIVED BY: SIGNATURE/ORGANIZATION: Johanna Murray DATE: 3/3/22 TIME: 1140

RELINQUISHED BY: SIGNATURE/ORGANIZATION: DATE: TIME:
RECEIVED BY: SIGNATURE/ORGANIZATION: DATE: TIME:

SEAL NO. SEAL INTACT YES☐ NO☐ INITIALS
SEAL NO. SEAL INTACT YES☐ NO☐ INITIALS

NOTES: TEMP. ON ARRIVAL: RT

PLEASE NOTE: SIGNING ACKNOWLEDGES ADHERENCE TO MERIT'S SAMPLE ACCEPTANCE POLICY ON REVERSE SIDE

Rev. 5.18.12

MERIT LABORATORIES, INC.
2680 EAST LANSING DRIVE EAST LANSING • MICHIGAN • 48823
PHONE: 517-332-0167 FAX: 517-332-6333
FULL SERVICE ANALYTICAL TESTING FIELD SERVICES • CONSULTING • TRAINING

Summary of Results

For

Merit No.: S33480.01 Tag: 001

Conclusion

Stereomicroscopy and Polarized Light Microscopy (PLM) showed that this sample contains ragged fiber clusters of various sizes that match sawdust and have the optical characteristics of wood (60%). Microchemical analysis on the yellow, fibrous clusters was positive for lignan, a significant component of wood. The sample also contains small, isotropic squares (20%) many of which have anisotropic material and particles attached. These attached materials maybe salts and/or glues, which suggest that they may be from plywood or particle board.

Other observed particles include Calcite (1%), Pollen (2%), Sand/quartz (5%) and plant fibers (3%).

Discussion

The wood particles are clusters of fibers which match the optical properties of mechanically ground wood, some small particles had rows “bordered pits” and “Maltese crosses”. Some of the sawdust particles have resin on them, partially obscuring the wood. The particles turned ruby, red with phloroglucinol followed by concentrated HCl. This is a positive test for lignin, a significant component of wood.

Small, isotropic squares (66um^2 to 300 um^2) may be from plywood and/or particle board since many have anisotropic particles (wood) and smears (salts and/or glues) attached to them.

Other observed particles include plant fibers, pollen, quartz, and calcite ($CaCO_3$).