



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GREETHER
DIRECTOR

May 26, 2017

Mr. Kelly Scheffler
Michigan Sugar Company - Sebewaing Factory
763 North Beck Street
Sebewaing, Michigan 48759

SRN: B2873, Huron County

Dear Mr. Scheffler:

VIOLATION NOTICE

On February 15, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), received the renewal application for Renewable Operating Permit (ROP) No. MI-ROP-B2873-20XX for the Michigan Sugar Company - Sebewaing Factory located at 763 North Beck Street in Sebewaing, Michigan. Initial review of the document determined that the document was incomplete and notification of that status and the reasons for the deficiency were submitted to the company on February 16, 2017. In correspondence dated May 4, 2017, Michigan Sugar Company – Sebewaing Factory indicated that they did not agree with the incomplete determination. On May 8, 2017, AQD District Staff issued a Violation Notice for failure to submit a complete application prior to the May 7, 2017 application due date. Following telephone discussions with Michigan Sugar Company – Sebewaing Factory's environmental consultant (Environmental Partners Inc.), supplemental information to complete the application was submitted on May 15, 2017.

AQD staff has reviewed the supplemental information provided and has determined that with the supplemental submittal the application is administratively complete, as defined by Section 5507 of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451). Please note that the AQD may require additional information as the technical portions of the application are reviewed.

The supplemental information required to complete the application was received by this office after the submittal deadline pursuant to Rule 210(9) of Act 451. As a result, this facility has failed to obtain an application shield. Operation of the process or process equipment without the benefit of the application shield constitutes a violation of Rule 210(1) of Act 451.

Furthermore, on November 7, 2017 the ROP will expire. In accordance with Rule 217(1)(c) of Act 451, the source will lose its "permit shield" upon expiration of the ROP. In addition, according to Section 5506(2) of Act 451, the expiration of an operating permit terminates the person's right to operate a source. Therefore, if the ROP renewal

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is not issued by November 7, 2017, and this source continues to operate after this date, the Facility is in violation of Section 5506(2) of Act 451.

If the Michigan Sugar Company – Sebewaing Factory 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.

If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact Sharon LeBlanc at 989-894-6212, or you may contact me at the number listed below.

Sincerely,



Chris Hare
Saginaw Bay District Supervisor
Air Quality Division
989-894-6215

cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Sharon LeBlanc, DEQ
Mr. Steve Smock, MSC
Mr. Jeff Pfof, EPI