



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

September 7, 2022

Kevin Romzek, Factory Manager
Michigan Sugar Company - Sebewaing Factory
763 North Beck Street
Sebewaing, Michigan 48759

SRN: B2873, Huron County

Dear Kevin Romzek:

VIOLATION NOTICE

On February 10, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Michigan Sugar Company - Sebewaing Factory (MSC) located at 763 North Beck Street, Sebewaing, Michigan. The purpose of this inspection was to determine MSC'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 the conditions of Renewable Operating Permit (ROP) number MI-ROP-B2873-2019. After the inspection, extensive effort was focused on ROP and federal regulations concerning the factory's boilers.

During the inspection and follow-up afterwards, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Pulp dryers 1 and 2	FG-PULPDRYERS, Special Condition (SC) V.2	Stack testing not conducted on dryers 1 and 2. Supposed to be done within 5 years from last test.
Pulp dryer 3	EU-DRYER#3, SC V.2	Stack testing not conducted. Supposed to be done within 5 years from last test.
Coal fired boilers 2 and 3	FG-STOKERBLRS-5D, SC V.8 and 40 CFR 63.7515(b)	Stack testing for filterable PM and CO not conducted. Supposed to be done within 37 months from last test.
Coal fired boilers 2 and 3	40 CFR 63.17510(a)(2)	Operating limits were not established for initial compliance purposes

Coal fired boilers 2 and 3	40 CFR 63.7520 and Subpart DDDDD, Appendix Table 7	Operating limits for oxygen level (for O ₂ trim system), boiler operating load, wet scrubber, and electrostatic precipitator were not established in conjunction with stack testing.
Coal fired boilers 2 and 3	40 CFR 63.7520 and Subpart DDDDD, Appendix Table 8	Operating limits not used for boiler operating load, wet scrubber, and electrostatic precipitator.
Coal fired boilers 2 and 3	40 CFR 63.7525(a)(7)	Oxygen level not used as an operating parameter for O ₂ trim system.
Coal fired boilers 2 and 3	FG-STOKERBLRS-5D, SC VII.19.C. and 40 CFR 63.7550(c)(3)	Operating parameter limitations, startups shutdowns etc. not included in compliance reports.
Coal fired boilers 2 and 3	40 CFR 63.9(h)	Notification of compliance status not provided.
Summer boiler	FG-NATGASBOILERS-5D, SC III.4.b. and 40 CFR 63.7515(d)	Tune-up not conducted. Supposed to be within 25 months of last one.
CE package boiler	FG-NATGASBOILERS-5D SC III.4.c. and 40 CFR 63.7515(d)	Tune-up conducted past 13 months of last one.

The boilers are subject to the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. These standards are found in 40 CFR Part 63, Subpart DDDDD. The federally enforceable issues involving boiler testing and tune-ups, in conjunction with deficient reporting by MSC, substantially interferes with enforcement of requirements and a determination of the source's compliance.

Be aware that state and federal air pollution regulations prohibit MSC from obtaining any new permits for major offset sources located in Michigan until the cited violation(s) are corrected or until MSC has entered a legally enforceable order or judgment specifying an acceptable program and schedule for compliance.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 28, 2022 (which coincides with 21 calendar days from the date of this letter). The written response should include: the

Kevin Romzek
Michigan Sugar Company – Sebewaing Factory
Page 3
September 7, 2022

dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations 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, Bay City District, at 401 Ketchum Street, Suite B, Bay City, Michigan 48708 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If MSC 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 violations cited above and for the cooperation that was extended to me during my inspection of Michigan Sugar Company – Sebewaing Factory. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Ben Witkopp
Environmental Engineer
Air Quality Division
989-295-1612

cc: Meaghan Martuch, MSC
Mary Ann Dolehanty, EGLE
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Chris Hare, EGLE