



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

May 18, 2018

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

Michigan Sugar Company – Croswell Factory
159 South Howard Avenue
Croswell, Michigan 48422

SRN: B2876; Sanilac County

ATTENTION: Mr. Kenneth W. Bennett, Factory Manager

This letter is to advise you of the commencement of escalated enforcement action against Michigan Sugar Company – Croswell Factory (Company) with State Registration Number (SRN) B2876. This letter follows the January 30, 2018, and April 13, 2018, Violation Notices issued by the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD) which detailed violations 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); and the conditions of Renewable Operating Permit (ROP) number MI-ROP-B2876-2013.

The alleged violations against the Company are federally enforceable and are considered a High Priority Violation (HPV) by the United States Environmental Protection Agency (EPA). The HPV designation means that the EPA places a priority on enforcing the regulations governing this violation and on formally resolving alleged violations of this type. The AQD is required to report all HPVs to the EPA, pursuant to the state's grant commitments with the EPA and the state's delegated enforcement authority of the federal Clean Air Act.

The AQD is hereby providing the Company with an opportunity to demonstrate compliance, present factual information in writing that should be considered regarding the violations and meet to discuss options for satisfactorily resolving the violations. The proposed formal written resolution will include, among other things, a compliance schedule within an administrative consent order and an appropriate monetary penalty. In an effort to seek resolution of the cited federal and state air quality violations, the cited parties will be given an opportunity to discuss a resolution of this matter with the AQD pursuant to Section 5515 of Act 451, which will satisfy both state and federal requirements.

Mr. Kenneth W. Bennett

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Please contact me at 517-284-6769, or by email at morane@michigan.gov, no later than Wednesday, May 30, 2018 to schedule a meeting to discuss the resolution of this matter.

Be advised that failure to respond to this Enforcement Notice in a timely manner and adequately resolve or address the cited violations may result in further enforcement proceedings, including but not limited to, referral of the matter to the Michigan Department of Attorney General (MDAG) for commencement of civil litigation. Be further advised that this Enforcement Notice does not preclude or limit the MDEQ's ability to initiate any other enforcement action under federal or state law as appropriate.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

By: Erin Moran
Erin Moran
Air Quality Division, Enforcement Unit

Date: 5/18/18

cc: Ms. Sarah Marshall, USEPA, Region 5
Mr. Neil Gordon, DAG
Mr. Chris Hare, MDEQ
Mr. Malcom Mead-O'Brien, MDEQ