



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

November 16, 2022

VIA EMAIL ONLY

Peter Jones
Gavilon Grain LLC
3274 Carrollton Road
Carrollton, Michigan 48724

SRN: B7117, Saginaw County

Dear Peter Jones:

VIOLATION NOTICE

On November 7, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Gavilon Grain LLC located at 3274 Carrollton Road, Carrollton, Michigan. The purpose of this inspection was to determine Gavilon Grain LLC’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 November 3, 2022, regarding fallout attributed to Gavilon Grain LLC’s operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Truck unloading pit	40 CFR 60.302(c)(2)	Truck unloading station exhibited opacity >5%
Railcar loading station	40 CFR 60.302(c)(2)	Railcar loading station exhibited opacity >5%
Grain handling operations	40 CFR 60.302(b)(2)	Grain handling operations related to railcar loading exhibited opacity >0% Plugging of operations due to dust bins being full. Required manual unplugging causing fallout.
EU-BASEMENTBELT	PTI 124-14 IV.1; R 336.1910	Plugging of operations due to dust bins being full. Air pollution control not operating properly.
Grain handling operations	R 336.1901(b)	Corn chafe (“bees wings”) fallout on

		resident's boat, driveway, cars, etc.
Truck unloading pit	PTI 124-14 III.2	Door on truck receiving pit not being closed while unloading.

This process is also subject to the federal New Source Performance Standards (NSPS) for Standards of Performance for Grain Elevators. These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart DD.

On November 3, 2022, AQD received a complaint regarding corn chafe ("bees wings") falling on resident's vehicles, boat, and property. Following the complaint, AQD staff visited the residence and viewed corn chafe on the resident's vehicles, boat, and property. Carrollton Road and Sugar Road were lined in the reddish colored material. On November 7, 2022, AQD continued the complaint investigation and viewed fugitive dust, loose corn chafe, blow north from the parking lot southwest of the scale towards Carrollton Road.

In the professional judgment of AQD staff, the dust fallout observed was of sufficient intensity, frequency, and duration so as to constitute a violation of Rule 901 of the administrative rules promulgated under Act 451 (and General Condition 6 of PTI No. 124-14).

On November 4, 2022, AQD performed a complaint investigation and viewed truck unloading operations and railcar loading operations. Both operations exhibited opacity exceeding the five (5) percent standard for particulate matter required in 40 CFR 60.302(b)(2). Truck unloading was occurring without at least one door on the truck receiving pit closed. The entrance door to the pit is only being closed halfway. Additionally, AQD staff observed the manual cleanout of the track side dust bin that plugged during operations. During follow up conversation on November 7, 2022 with Gavilon Grain LLC staff, the cause being due to full dust bins was discussed. The unplugging caused corn chafe to "snow" down in Carrollton. During this time the associated baghouse was not able to collect particulate.

This constitutes a violation of Rule 910 of the administrative rules promulgated under Act 451, 451 (and Special Condition (SC) IV.1. of EU-BASEMENTBELT in PTI No. 124-14), which requires that an air-cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with the administrative rules and existing law.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by December 7, 2022 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the

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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 Gavilon Grain LLC 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 Gavilon Grain LLC. 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,



Gina L. McCann
Environmental Quality Specialist
Air Quality Division
989-439-2282

cc: Mary Ann Dolehanty, EGLE
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Chris Hare, EGLE
Kathy Brewer, EGLE