



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



DAN WYANT
DIRECTOR

October 2, 2013

Mr. James L. Spencer, Owner
Spencer Oil Company
16410 Common Road
Roseville, Michigan 48066

SRN: B7603, Macomb County

Dear Mr. Spencer:

VIOLATION NOTICE

On September 5, 2013, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Spencer Oil Company located at 16410 Common Road, Roseville, Michigan. The purpose of this inspection was to determine Spencer Oil Company'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) and the administrative rules.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Loading gasoline into existing delivery vessels at existing loading facilities handling less than 5,000,000 gallons per year.	R336.1608(3)(a), 4, 5, & 6	Facility failed to demonstrate the use of a vapor balance system or an equivalent control system approved by AQD, as specified in R336.1608(4) while loading gasoline into delivery vessels at this facility. Facility also failed to develop written procedures for the operation of all control measures and post it in an accessible, conspicuous location near the stationary vessel.

The requirement (R336.1608(3)) that the delivery vessel be controlled by a vapor balance system while loading gasoline from a stationary vessel at this facility is not applicable if the facility has a gasoline throughput of less than 1,000,000 gallons per year. In order to be exempt from this requirement, facility shall demonstrate that its annual throughput is less than 1,000,000 gallons per year. Please submit gasoline throughput data for the year 2012 and January 1-September 30, 2013. In the calculation the facility needs to include the gasoline loaded from this facility only. A copy of Rule 608 (R336.1608) is enclosed for your review.

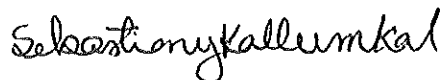
Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by **October 23, 2013**. The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is 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.

With your response please include copies of the daily logs for the month of September. Please send the copies of the daily logs for the month of October to me at the address below by November 8, 2013.

If Spencer Oil Company 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 September 5, 2013. 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,



Sebastian G. Kallumkal
Senior Environmental Engineer
Air Quality Division
(586) 753-3738

SGK/DAC
Enclosures

cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Mr. Christopher Ethridge, DEQ