



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



DANIEL EICHINGER
ACTING DIRECTOR

January 9, 2023

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

The Anderson's Marathon Holdings, LLC
26250 B Drive North
Albion, Michigan 49224

SRN: B8570; Calhoun County

ATTENTION: Harley Darnell

This letter is to advise you of the commencement of an escalated enforcement action against The Anderson's Marathon Holdings, LLC (Company). This letter follows the November 10, 2022, Violation Notice issued by the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) which detailed violations of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.5501 *et seq.*; the administrative rules promulgated thereunder, specifically Rules 702 and 910 of the Michigan Air Pollution Control Rules, Mich Admin Code, R 336.1702 and R 336.1910, and conditions of Renewable Operating Permit MI-ROP-B8570-2015b.

The AQD is providing the Company with an opportunity to formally resolve these violations through the entry of a legally enforceable agreement that will include a compliance program and payment of an appropriate monetary penalty pursuant to Section 5528 of Part 55 of NREPA, MCL 324.5528.

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. This Enforcement Notice does not preclude or limit EGLE's ability to initiate any other enforcement action under federal or state law as appropriate.

ENFORCEMENT NOTICE

The Anderson's Marathon Holdings, LLC

Page 2

January 9, 2023

Please contact me at 517-275-0943, or by email at WolfJ2@Michigan.gov, no later than Wednesday, January 18, 2023, to schedule a meeting to discuss the resolution of this matter.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENT,
GREAT LAKES, AND ENERGY

By: 

Jason Wolf
Air Quality Division, Enforcement Unit

Date: 1/9/2023

cc: Sarah Marshall, U.S. Environmental Protection Agency, Region 5
Margaret Bettenhausen, MDAG
Rex Lane, EGLE
Jenine Camilleri, EGLE