

DEPARTMENT OF ENVIRONMENTAL QUALITY  
AIR QUALITY DIVISION  
ACTIVITY REPORT: Scheduled Inspection

P031151477

FACILITY: Michigan Agricultural Commodities - Brown City		SRN / ID: P0311
LOCATION: 7115 Maple Valley Road, BROWN CITY		DISTRICT: Saginaw Bay
CITY: BROWN CITY		COUNTY: SANILAC
CONTACT: Chuck Kunisch , Environmental/Health and Safety		ACTIVITY DATE: 11/13/2019
STAFF: Gina McCann	COMPLIANCE STATUS: Compliance	SOURCE CLASS: MINOR
SUBJECT: Inspection of NSPS DD		
RESOLVED COMPLAINTS:		

I arrived on site at approximately 10:00 a.m. I was met by Mr. Chuck Kunisch, Michigan Agricultural Commodities (MAC) and Ms. Marley McVey, Fishbeck. Ms. McVey had just finished VE testing on the overhead loadout tank, see drawings in test results submitted on December 16th, 2019 for location. She finished VE testing on the new wet and dry legs associated with the column dryer installed in 2018, once we reviewed the installation history of the facility.

The facility was built in 1985. The plant currently has a storage capacity of 3,580,500 bushels. There are two dryers on site that all meet Permit to Install Exemption R285(p), because of their perforation size. In 2017, the plant exceeded the NSPS DD threshold of 2.5 million bushel storage capacity with the installation of bin 14. Bin 14 also had a side draw installed, which still requires NSPS testing. In 2017 the overhead loadout tank was also installed, which was tested on 11/13/2019. In 2018 they installed bin 15 with side draws, which still needs to be tested. In 2018 a column dryer with wet and dry legs was installed and the legs were tested on 11/13/2019. In 2019 the facility installed bin 16 with an associated side draw. the manufacturer recommends waiting a year before utilizing a bin to cure the structural integrity of it. The facility does not have a baghouse onsite.

According to discussion during the inspection the facility has not used the side draws, aka load out spouts, on bins 14, 15 or 16 and would like to request an extension for testing. It seemed like they will be shooting for next harvest season. This harvest season has been poor for farmers. A wet spring provided late planting, then a dry summer, followed by an early snow fall during harvest time. Capacity is down this year.

During an email conversation EGLE-AQD staff responded to the question of extending the testing, see below.

**Marley,**

I looked into the testing question we were discussing regarding the side draws on Bins 14 and 15 at Brown City and the side draw on Bin 31 at Marlette. See what I found below. In short, it seems within my regulatory authority to provide an extension, provided the reason for the request is valid.

The way I read this is once the "affected facility" (see definition below) starts up, the site will have up to 180 days to do testing unless there is a force majeure. At this time the plant can send in a request for an extension. The request for an extension should include the information in #2 below and be submitted prior to the testing deadline.

I also wanted to follow up on the date we sent the educational outreach letter was on 4/28/2014. We did a mass mailing at that time and apparently the date was not added to the letter for some reason.

60.300 The affected facilities are each truck unloading station, truck loading station, barge and ship unloading station, barge and ship loading station, railcar loading station, railcar unloading station, grain dryer, and all grain handling operations.

60.301 (l) *Grain handling operations* include bucket elevators or legs (excluding legs used to unload barges or ships), scale hoppers and surge bins (garners), turn heads, scalpers, cleaners, trippers, and the headhouse and other such structures.

**§60.8 Performance tests.**

(a) Except as specified in paragraphs (a)(1),(a)(2), (a)(3), and (a)(4) of this section, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

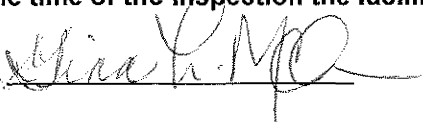
1) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure, the owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.

(2) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.

(3) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.

At the time of the inspection the facility was in compliance with the NSPS DD.

NAME



DATE

1/6/20

SUPERVISOR

