



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
KALAMAZOO DISTRICT OFFICE



DAN WYANT  
DIRECTOR

May 20, 2015

Mr. Christopher Gill, Director of Greenhouse Operations  
Mastronardi Produce Ltd.  
2100 Road 4 East  
Kingsville, Ontario N9Y 2E5

SRN: P0517, Branch County

Dear Mr. Gill:

### VIOLATION NOTICE

The Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD), has been notified that new equipment has been installed, in addition to existing equipment, at Mastronardi Produce Ltd. (Facility), located at 270 North Filmore Road, Coldwater, Michigan. The purpose of this letter is to put you on notice regarding the Facility'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.

Specifically, three new boilers and one new emergency generator have been installed at the Facility, in addition to the four previously installed boilers and two emergency generators. With the latest installations, the AQD has determined that the potential emissions of nitrogen oxides (NOx) are now over 100 tons per year from all of the installed equipment combined.

Rule 211 of Act 451 essentially states that: The following stationary source is subject to the requirements of R 336.1210 to obtain, and only operate in compliance with, a renewable operating permit: Rule 211(1)(a)(ii)(C) - a major source that emits, or has the potential to emit, 100 tons per year or more of Nitrogen Dioxide.

Failure to obtain a Renewable Operating Permit (ROP) is a violation of Rule 210 of Act 451, for which there is a period of time allowed for compliance. Rule 210(6) outlines the steps that need to be taken after a source becomes major. In summary, an administrative complete application for a ROP must be received by the MDEQ, AQD, not more than 12 months after the stationary source commences operation as a major source.

Another option as an alternative to being a major source is to apply for an Opt-Out Permit to become a synthetic minor source. This type of permit is allowed under Rule 201(2)(b) of Act 451. It is recommended that an application for this type of Permit to Install be submitted early enough so that there is time for review, processing, and approval prior to the end of the 12 month period.

An application form is available by request or at the following website:  
[http://www.deq.state.mi.us/aps/nsr\\_information.shtml](http://www.deq.state.mi.us/aps/nsr_information.shtml)

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by June 15, 2015. The written response should include a summary of the actions that are proposed to be taken to correct the violation. This should include a date that either an application for a ROP or an application for an Opt-Out Permit will be submitted.

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If the Facility believes the above observations or statements are inaccurate, please provide appropriate factual information to explain your position.

Thank you for your attention to this matter. If you have any questions, please contact me at the telephone number listed below.

Sincerely,



Dale Turton  
Senior Environmental Engineer  
Air Quality Division  
269-567-3554

DT:CF

cc: Ms. Lynn Fiedler, MDEQ  
Ms. Mary Ann Dolehanty, MDEQ  
Ms. Teresa Seidel, MDEQ  
Mr. Thomas Hess, MDEQ  
Ms. Mary Douglas, MDEQ