



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
GRAND RAPIDS DISTRICT OFFICE



PHILLIP D. ROOS
DIRECTOR

February 22, 2024

Jacob Draaisma
BPV Environmental LLC
511 76th Street SW
Byron Center, Michigan 49315

SRN: P1036, Kent County

Dear Jacob Draaisma:

VIOLATION NOTICE

On February 7, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of BPV Environmental LLC located at 511 76th Street SW, Byron Center, Michigan. The purpose of this inspection was to determine BPV Environmental 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); and the Air Pollution Control Rules.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Scrap paper processing and pelletizing Lines 1, 2, and 5	Rule 370	Failure to capture and properly collect and dispose of an air contaminant.
Scrap paper processing and pelletizing Lines 1, 2, and 5	Rule 910	Failure to properly install, maintain, and operate a control device.

On February 7, 2024, the AQD staff observed the operation of the scrap paper processing and pelletizing lines 1, 2, and 5 while the baghouses were malfunctioning. Line 2 was emitting paper particulate into the air and onto the ground and into a nearby water retention ditch. This constitutes a violation of Rule 370 of the administrative rules promulgated under Act 451, which requires that collected air contaminants be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of air contaminants to the outer air.

These malfunctions also constitute a violation of Rule 910 of the administrative rules promulgated under Act 451, 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 March 14, 2024 (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 violations; whether the violations are 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.

Please submit the written response to April Lazzaro at EGLE, AQD, Grand Rapids District, at 350 Ottawa Avenue NW, Unit 10, Grand Rapids, Michigan 49503 or LazzaroA1@michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Pursuant to Rule 911, the AQD requests that BPV Environmental LLC submit a Malfunction Abatement Plan (MAP) for all baghouses and associated process and collection systems at this facility.

A Rule 278 exemption demonstration is also requested for all emission units at the facility as certain processes and process equipment may be exempt from obtaining a Permit to Install (PTI). Rule 278 establishes requirements of eligibility for exemptions listed in Rules 280 through 291. To be eligible for a listed exemption, the owner or operator of an exempt process or exempt process equipment must be able to provide information demonstrating the applicability of the exemption. Pursuant to Rule 278(a), this demonstration should be provided within 30 days of a written request by the AQD and should include the following information:

- The specific exemption being used by the process or process equipment.
- An analysis demonstrating that Rule 278 does not apply to the process or process equipment.

The AQD requests that BPV Environmental LLC demonstrate either the scrap paper processing and pelletizing lines are exempt from the requirements of Rule 201 or submit a PTI application for the subject processes at the facility.

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Finally, please provide a facility-wide Potential to Emit (PTE) demonstration for all criteria pollutants emitted at the stationary source. Information on calculating PTE can be found at:

<https://www.michigan.gov/egle/about/organization/air-quality/air-permits/new-source-review/potential-to-emit>

Please submit the information regarding the MAP, the Rule 278 exemption demonstration, and the PTE demonstration within 30 days of the date of this letter to me at the address above.

If BPV Environmental 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 BPV Environmental 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,



April Lazzaro
Senior Environmental Quality Analyst
Air Quality Division
616-558-1092

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Heidi Hollenbach, EGLE