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July 26, 2022

VIA CERTIFIED MAIL — RETURN RECEIPT REQUESTED

Department of Environment,
Great Lakes, and Energy
Air Quality Division
Kalamazoo District
7953 Adobe Road
Kalamazoo, Michigan 49009

Jenine Camilleri
Enforcement Unit Supervisor
Department of Environment,
Great Lakes, and Energy
Air Quality Division
P.O. Box 30260
Lansing, Michigan 48909-7760

Re: **Response to Violation Notice dated July 7, 2022**
SRN: U391700037, Kalamazoo County

To Whom It May Concern:

We represent J. Rettenmaier USA LP ("**JRS USA**") with respect to its fiber plant located at 16369 U.S. 131 Highway, Schoolcraft, Michigan 49087. We have reviewed the Violation Notice dated July 7, 2022, from the Department of Environment, Great Lakes, and Energy ("**EGLE**"), Air Quality Division ("**AQD**"), and we respectfully disagree with AQD's determination that JRS USA's Schoolcraft fiber plant violated Rule 901 of AQD's Air Pollution Control Rules (R 336.1901) on May 22, 2022.

JRS USA's Schoolcraft fiber plant produces powdered cellulose for use as a functional ingredient in food, feed, and other industrial applications. The plant uses a dry milling process to convert cellulose pulp derived from woods, grains, fruits, and other vegetation into its finished product. The plant employs dust collection and filtration units to remove particulate generated by its operations from the air before it is expelled, as well as control systems to monitor those units and shut lines down if any problems are detected. Particulate emissions are therefore highly controlled, with the exception of a rare process upset.

On May 22, one of those upsets occurred: a dust collection and filtration unit on the roof of Building 5 at the plant had an internal mechanical failure, which caused the unit to become clogged. The control system detected the problem and shut the line down. JRS USA promptly sent personnel to the roof of Building 5 to open and repair the unit, which took about four hours to complete. Unfortunately, the repairs were performed under windy conditions, with average wind speeds of 18 miles per hour and gusts regularly exceeding 25 miles per hour — strong enough to blow loose particulate free from the open unit. On the completion of the repairs, however, the unit was closed and returned to normal operating condition, and there was no further risk of particulate being blown free.

We understand that AQD received a complaint the following day from the owner of a home nearby about fallout from JRS USA's plant during those repairs, including video recordings of what appear to be JRS USA's personnel on the roof of Building 5 as those repairs were performed. We also understand that AQD visited the complainant's home the next day and collected a sample from a vehicle parked in the complainant's driveway, and that laboratory analysis confirmed 50% of the sample was

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made up of the same type of cellulose being produced at the plant that day. AQD then issued the above Violation Notice, alleging that JRS USA had violated Rule 901.

Although we appreciate AQD bringing this matter to our attention, and JRS USA will endeavor to avoid similar situations in the future, we respectfully disagree with AQD's determination that JRS USA's repair operations on May 22 constituted a violation of Rule 901. Rule 901 prohibits air emissions that cause either (a) "Injurious effects to human health or safety, animal life, plant life of significant value, or property," or (b) "Unreasonable interference with the comfortable enjoyment of life and property." However, the only effect or interference identified in the Violation Notice appears to be the presence of dust on the complainant's vehicle. We have not seen any photos of the vehicle, but, considering only 50% of the dust was identified as cellulose and 30% was identified as pollen (which we presume came from naturally-occurring sources), this appears to have been a very light layer. Moreover, when we consider that the cellulose is comprised of natural fibers, which are not just biodegradable, but edible by both humans and animals, we fail to see how a one-time emission of such a small quantity of cellulose could even rise to the level of being "injurious" or "unreasonable."

Nevertheless, even while we maintain that JRS USA's actions did not violate Rule 901, JRS USA desires to avoid similar situations in the future. Therefore, JRS USA will revisit its policy on repairs to its dust collection and filtration units under windy conditions.

Please contact my office if you have any questions regarding this correspondence.

Sincerely,

MILLER JOHNSON



By

Grant E. Schertzing

GES

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