



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

LANSING

April 13, 2021

UPS NEXT DAY DELIVERY

Mr. Nick Klein
Director of Engineering
Michigan Sugar Company
122 Uptown Drive
Suite 300
Bay City, Michigan 48708

Mr. Nick Forest
FIS Group
3300 Tree Tops Lane
Vanderbilt, Michigan 49795

SRN/ID: U762101623; Sanilac County

Dear Mr. Klein and Mr. Forest:

VIOLATION NOTICE

On April 6, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted a verbal inspection regarding 159 South Howard Avenue, Crosswell, Sanilac County. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR), Part 61, Subpart M (National Emission Standard for Asbestos), and Rule 942 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to my investigation, Michigan Sugar Company is the owner of the facility and the FIS Group is the operator who performed the partial demolition of the building for the purpose of facility component removal. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the verbal inspection, EGLE staff noted the following:

The FIS Group demoed metal roof decking and steel trusses, for the purpose of the removal of kiln shells (facility component). The metal shells of the kilns were lifted out in sections through the demoed portion of the roof and disposed of. Neither the owner nor the operator submitted a 10-working day Notice of Intent to Renovate/Demolish to the administrator prior to the partial demolition activities.

Process Description	Section Violated	Comments
During the verbal inspection, which occurred on 4/6/2021, it was determined that a partial demolition of the subject facility occurred as part of a facility component removal and upgrade project.	40 CFR §61.145(b)(1)	Failure to provide the Administrator with written notice.

VIOLATION NOTICE

Mr. Klein and Mr. Forest

Page 2

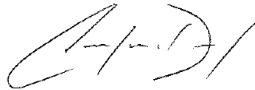
April 13, 2021

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by May 4, 2021, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation, and the date(s) by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The *signed* written response from the *owner and operator* to this violation notice, may be submitted by mail and directed to my attention at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. You must also include a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and emailed to DechyC@Michigan.gov and WolfJ2@Michigan.gov.

If you believe the above observations or statements are inaccurate or do not constitute a violation of the applicable legal requirements cited, please provide appropriate factual information to explain your position.

Thank you for your attention to resolving the violation cited above and for the cooperation extended to me during our phone conversation. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; DechyC@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Craig W. Dechy
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Karen Kajiya-Mills, EGLE
Mr. Chris Hare, EGLE
Mr. Jason Wolf, EGLE