



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GREYER
DIRECTOR

December 28, 2016

Mr. David Noble
Michigan Sugar Company
122 Uptown Drive, Suite 300
Bay City Michigan 48708

SRN: B2875, Tuscola County

Dear Mr. Noble:

VIOLATION NOTICE

On October 13, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of the Michigan Sugar Company (MSC) – Caro Plant located at 819 Peninsular Street, Caro, Michigan. The purpose of this inspection was to determine 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); the Air Pollution Control Rules; and the conditions of Renewable Operating Permit (ROP) number MI-ROP-B2875-2013a.

During the October 13, 2016 inspection, MSC Staff were informed that a written request for information would be sent for supplemental information that would be required to complete the compliance determination for the Facility. A written request for supplemental data/records was sent electronically by District Staff on November 9, 2016. An electronic reminder was sent to the Facility on December 1, 2016.

On December 19, 2016, District staff received electronically, a response to the information request. The preparer indicated that the submittal was incomplete in that the requested monthly and annual hours of operation for FG-PULP were still under review by Facility Staff. On December 22, 2016, District staff notified the preparer that the compliance report was under preparation, and that a review of the 2016 MAERS submittal indicated that the hours of operation for 2015 had been 4080, 80 hours above the permitted limit of 4000 hours of operation for the EU. The electronic response received later that day was that they had reported an extra day of operation (January 1, 2016), and that the preparer may not complete the review/corrections prior to the December 29, 2016 report due date. No additional information was received from the preparer following the December 22, 2016, electronic correspondence.

During records review associated with the November 9, 2016 request, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
FG-PULP	Special Condition III.2	Conditions of ROP limit operation to 4000 hours per calendar year.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by January 18, 2016 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates 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 dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

If the Facility 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 violation cited above and for the cooperation that was extended to me during my inspection of October 13, 2016. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Sharon G. LeBlanc
Environmental Quality Analyst
Air Quality Division
Saginaw Bay District Office
989-894-6212

cc/via e-mail: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Etheridge, DEQ
Mr. Thomas Hess, DEQ
Mr. Chris Hare, DEQ
Mr. William Gough, Michigan Sugar Company
Mr. Steve Smock, Michigan Sugar Company