



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: B1493, Bay County

Dear Mr. Noble:

### VIOLATION NOTICE

On October 14, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of the Michigan Sugar Company (MSC) – Bay City Plant located at 2600 South Euclid Avenue, Bay City, Michigan. The purpose of this inspection and a supplemental electronic records request (November 9, 2016) 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-B1493-2016.

During the October 14, 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. At that time it was indicated that the data for the Bay City Plant was not complete. Further electronic communications received on December 22, 2016 indicated that there were errors in a portion of the submittal, 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.

It is the District's opinion that a reasonable amount of time was allowed for records retrieval, and that based on the incomplete nature of the December 19, 2016, submittal and unknown errors and that the Facility is not in compliance with recordkeeping requirements of their ROP.

Based on the amount of time allowed for the records submittal, District Staff has determined the following General and Special Conditions of the ROP:

Process Description	Rule/Permit Condition Violated	Comments
EUBOILER8	General Condition 17	Records not furnished upon request
FGBOILERS	General Condition 17	Records not furnished upon request

It should be noted that the above referenced violations may also be violations of one or more record keeping special conditions for the referenced EUs.

Please initiate actions necessary to correct the cited violations by resubmitting the information requested in the November 9, 2016 electronic correspondence in its entirety and without errors by January 18, 2017 (which coincides with 21 calendar days from the date of this letter).

If you believe 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 above cited violations and for the cooperation that was extended to me during my inspection of the Michigan Sugar Company – Bay City Plant on October 14, 2016. 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,



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 Ethridge, DEQ  
Mr. Thomas Hess, DEQ  
Mr. Chris Hare, DEQ  
Mr. Steve Smock, Michigan Sugar Company  
Mr. Gary Witzgall, Michigan Sugar Company