



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



DAN WYANT
DIRECTOR

March 2, 2015

Mr. Fred Justice
Bay Carbon Inc.
800 Marquette Street
Bay City, MI 48708

SRN: N1832, Bay County

Dear Mr. Justice:

VIOLATION NOTICE

On January 27, 2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Bay Carbon Inc. located at 800 Marquette Street, Bay City, Michigan. The purpose of this inspection was to determine Bay Carbon Inc'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 administrative rules and the conditions of Permit to Install (PTI) numbers 43-06A and 261-07A.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Scrubber operation for graphite purification process (EU-05)	S.C. VI. 1 (PTI 261-07A)	Liquid flow rate not recorded nor monitored
Scrubber operation for graphite purification process (EU-05)	S.C. IV. 1 (PTI 261-07A)	Liquid recirculation rate no less than 40 gpm, rate not recorded nor monitored

RECORDKEEPING/REPORTING

During this inspection, Bay Carbon Inc. was unable to produce liquid flow rate records for packed bed wet scrubber system for EU-05.

This is a violation of the recordkeeping specified in Special Condition number VI.1 of PTI number 261-07A.

RULE 910: AIR CLEANING DEVICES

On January 27, 2015, the AQD staff observed operation of graphite purification process in Building "E", while the liquid flow rate for the scrubber system was not being operated in a satisfactory manner.

This constitutes a violation of Act 451, Rule 910, 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 23, 2015 (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 violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

If Bay Carbon Inc. 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 Bay Carbon Inc. 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,



Gina L. McCann
Environmental Quality Analyst
Air Quality Division
989-894-6218

glm/ai

cc/via e-mail: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Mr. Chris Hare, DEQ
Mr. Mark Loboda, Bay Carbon-electronic