



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
KALAMAZOO DISTRICT OFFICE



PHILLIP D. ROOS
DIRECTOR

October 4, 2023

Ron Caldwell
ReConserve of Michigan, Inc.
170 Angell Street
Battle Creek, MI 49037

SRN: N8081, Calhoun County

Dear Ron Caldwell:

VIOLATION NOTICE

On September 26, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of ReConserve of Michigan, Inc. located at 170 Angell Street, Battle Creek, Michigan. The purpose of this inspection was to determine ReConserve 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 to investigate a pattern of recent complaints received on August 22, September 19, and September 25, 2023, regarding fugitive dust and fallout attributed to ReConserve operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EU-FINISHED FEED	Permit to Install (PTI) No. 184-08B Special Condition (SC) III.1	The facility shall not operate EU-FINISHED FEED unless the program for continuous fugitive emissions has been implemented and is maintained.
EU-FINISHED FEED	PTI No. 184-08B SC IV.1	The facility shall not operate EU-FINISHED FEED unless the external conveyors or enclosures are installed, maintained, and operated in a satisfactory manner.
EU-FINISHED FEED	R 336.1901 (Rule 901)	Recurring fallout was observed offsite, accumulated upon

		multiple vehicles and on the ground of a neighboring business parking lot.
--	--	--

In the professional judgment of AQD staff, the dust fallout that was observed were of sufficient intensity, frequency, and duration so as to constitute a violation of Rule 901 of the administrative rules promulgated under Act 451 and Special Condition III.1 and IV.1 for EU-FINISHED FEED of PTI number 184-08B.

The AQD staff confirmed that ReConserve product had noticeably accumulated on vehicles and within the parking lot of a neighboring business. Upon inspection of the facility, multiple sources of fugitive dust were observed. The batch hopper sliding gate, a missing panel on the hopper tower, gaps on the auger lids along the conveyor leading to the silo, the loading bay door was open during a truck loading operation, and significant fallout was observed along the rooftop of the facility which is adjacent to the silos and located between the facility and the complainant's property.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 25, 2023 (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.

Please submit the written response to Rachel Benaway at EGLE, AQD, Kalamazoo District, at 7953 Adobe Road, Kalamazoo, Michigan 49009 or BenawayR@michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If ReConserve 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.

Ron Caldwell
ReConserve
Page 3
October 4, 2023

Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my inspection of ReConserve. 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,

A handwritten signature in black ink that reads "Rachel Benaway". The signature is fluid and cursive, with the first name "Rachel" being more prominent than the last name "Benaway".

Rachel Benaway
Environmental Quality Analyst
Air Quality Division
269-370-2170

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Monica Brothers, EGLE