



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

September 7, 2022

VIA E-MAIL AND U.S. MAIL

Mr. Todd Oltmans
Vice President Operations and Construction
Hoover Road Real Estate, LLC
21590 Hoover Road
Warren, MI 48089

SRN: P1109, Macomb County

Dear Todd Oltmans:

VIOLATION NOTICE

On August 5, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Hoover Road Real Estate, LLC located at 21590 Hoover Road, Warren, Michigan. The purpose of this inspection was to determine Hoover Road Real Estate'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 Permit to Install (PTI) number 10-20A.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
6 MMBtu dual fuel natural gas and propane boiler.	R 336.1201(1), and PTI No. 10-20A, General Condition 1.	The permittee installed process equipment that is not approved per PTI No. 10-20A and is not exempt from R 336.1201(1) because this emission unit is part of the PTI No. 10-20A project.

During the inspection, it was noted that Hoover Road Real Estate had installed and commenced the operation of an unpermitted 6 MMBtu dual fuel natural gas and propane boiler at this facility. This boiler is not exempt from R 336.1201(1) per R 336.1282(2)(b) because this emission unit is a component of the PTI No. 10-20A project. The AQD staff advised Hoover Road Real Estate on August 5, 2022, that this constitutes a violation of Rule 201 of the administrative rules promulgated under Act 451, which states in part, *"Except as allowed in R 336.1202, R 336.1277 to R 336.1291, or R 336.2823(15) a person shall not install, construct, reconstruct, relocate, or modify any process or process equipment, including control equipment pertaining thereto, which may emit any of the following [air pollutants and air contaminants], unless a permit to install that authorizes such action is issued by the department."*

The unpermitted installation of the 6 MMBtu dual fuel natural gas and propane boiler also constitutes a violation of PTI No. 10-20A, General Condition 1, which states, "The process or process equipment covered by this permit shall not be reconstructed, relocated, or modified, unless a Permit to Install authorizing such action is issued by the Department, except to the extent such action is exempt from the Permit to Install requirements by any applicable rule."

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Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 28, 2022, (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 EGLE, AQD, Warren District, at 27700 Donald Court, Warren, Michigan 48092 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Hoover Road Real Estate 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 Hoover Road Real Estate. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number or email listed below.

Sincerely,



Robert Elmouchi
Senior Environmental Quality Analyst
Air Quality Division
586-854-3244; elmouchir@michigan.gov

cc: Cannabis Regulatory Agency
Evan Dupree, Hoover Road Real Estate
Griffin Kas, Hoover Road Real Estate
James G. Kelly, Cultivated Power
Mary Ann Dolehanty, EGLE
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Joyce Zhu, EGLE
Kaitlyn Leffert, EGLE