



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

November 2, 2021

Mr. John Banner, General Manager  
Ferrous Processing & Trading Company  
Genesee Recycling Industries  
G-5107 North Dort Highway  
Flint, Michigan 48505

SRN: U251512119, Genesee County

Dear Mr. Banner:

**VIOLATION NOTICE**

On October 6, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Genesee Recycling Industries (Genesee Recycling) located at G-5107, N. Dort Highway, Flint, Michigan. The purpose of this inspection was to determine Genesee Recycling'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 to investigate smoke, which I had observed from offsite earlier that afternoon.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Torch cutting of metal being conducted outside.	Rule 201	Torch cutting conducted outdoors did not meet the Rule 285(2)(j) permit exemption criteria.

Rule 285(2)(j) of the Administrative Rules exempts the following from the requirement of Rule 201 to obtain a permit to install:

- (j) Portable torch cutting equipment that does not cause a nuisance or adversely impact surrounding areas and is used for either of the following:
  - (i) Activities performed on a non-production basis, such as maintenance, repair, and dismantling.
  - (ii) Scrap metal recycling and/or demolition activities that have emissions that are released only into the general in-plant environment and/or that have externally vented emissions equipped with an appropriately designed and operated enclosure and fabric filter.

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The torch cutting process which was operated at the time I witnessed smoke from offsite did not meet the exemption criteria for Rule 285(2)(j)(ii). This is considered a violation of Rule 201 of the administrative rules promulgated under Act 451.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by November 22, 2021, (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.

Please submit the written response to EGLE, AQD, Lansing District, at 525 W. Allegan St., Constitution Hall, First Floor South, Lansing, Michigan 48933 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Genesee Recycling 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 Genesee Recycling. 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,



Daniel A. McGeen  
Environmental Quality Analyst  
Air Quality Division  
517-648-7547

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Christopher Ethridge, EGLE  
Mr. Brad Myott, EGLE