



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

October 4, 2022

VIA EMAIL ONLY

Johannes Martinus Verhaar
Aquila Farms
3201 West Soper Road
Bad Axe, Michigan 48413

SRN: U322204470, Huron County

Dear Johannes Martinus Verhaar:

VIOLATION NOTICE

On July 28, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Aquila Farms located at 3201 West Soper Road, Bad Axe, Michigan. The purpose of this inspection was to determine Aquila Farms' 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); and the Air Pollution Control Rules.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Incineration unit	Rule 201	Operating without a permit to install
Two Emergency Generators	NSPS Subpart IIII	Compliance determination could not be made

The company has installed and is in operation of an incineration unit that is used to incinerate deceased cows. The company operates the incineration unit without an applicable exemption or a permit to install. AQD staff advised Aquila Farms on July 28, 2022, that this is a violation of Rule 201 of the administrative rules promulgated under Act 451.

Two of the three emergency generators observed on site are potentially subject to New Source Performance Standards for Stationary Compression Ignition Internal Combustion Engines (NSPS Subpart IIII). Information was requested for the two emergency generators; however, was not provided. Since a compliance determination could not be made, this is a violation of NSPS Subpart IIII.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 25, 2022 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the

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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, Bay City District, at 401 Ketchum Street, Suite B, Bay City, Michigan 48708 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Aquila Farms 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 Aquila Farms. 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,



Adam Shaffer
Environmental Quality Analyst
Air Quality Division
989-225-4789

cc: Mary Ann Dolehanty, EGLE
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Chris Hare, EGLE