



GRETCHEN WHITMER
GOVERNOR

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



AARON B. KEATLEY
ACTING DIRECTOR

May 2, 2023

VIA EMAIL

Roger Corkins, Jr., Plant Manager
Advanced Drainage Systems, Inc.
4800 Marlette Road
Clifford, Michigan 48727

SRN: U442203492, Lapeer County

Dear Roger Corkins, Jr.:

VIOLATION NOTICE

On April 12, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Advanced Drainage Systems, Inc. (Advanced Drainage Systems) located at 4800 Marlette Road, Clifford, Michigan. The purpose of this inspection was to determine Advanced Drainage Systems' 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 recent complaint which we received on April 12, 2023, regarding odors and fugitive dust attributed to Advanced Drainage Systems' operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Two plastic extrusion lines	Rule 901(b)	Odors detected offsite were of sufficient intensity, frequency, and duration to constitute unreasonable interference with the comfortable enjoyment of life and property.

On April 12, 2023, while downwind of the site, the AQD staff detected odors of melted plastic which were distinct, definite, and objectionable. The odors also appeared to be associated with sinus irritation. In the professional judgment of the AQD staff, the odors that were 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.

Roger Corkins, Jr.
Advanced Drainage Systems, Inc.
Page 2
May 2, 2023

Additionally, odors of melted plastic were detected downwind on previous visits to the complainant's property, on August 3, 24, and 31, 2022, and on November 2 and 7, 2022. Sinus irritation was experienced by the AQD staff on August 31, 2022, and November 2, 2022, within minutes of first detecting the odors.

Also on April 12, 2023, the AQD staff observed excessive amounts of fugitive dust from the unpaved yard area, parking lot, and roadways onsite, which then blew off the site. Rule 371 of the administrative rules allows for the department to request that a person who is responsible for any of the activities identified in Rule 372 submit a fugitive dust control program, for a facility which is in an area not listed in Table 36. Marlette is not listed in Table 36. Please see attached copies of Rules 371 and 372.

Rule 372(1) states:

"A fugitive dust control program which is required by R 336.1371, and which deals with 1 or more of the fugitive dust sources listed in this rule may include any of the typical control methods listed in this rule for that source."

Rule 372(5) pertains to roads and lots which are a source of fugitive dust and provides examples of fugitive dust control methods which may be used. Please note that oil, mentioned in Rule 372(b)(iv), is no longer considered an acceptable dust suppressant material, under Michigan environmental regulations.

On April 17, 2023, the AQD received an email from Advanced Drainage Systems, outlining a proposed plan for dust control. Please review Rules 371 and 372 and submit a fugitive dust plan as part of your response to this letter, to formalize this plan. Fugitive dust plans at facilities are typically adjusted as needed, based upon practical experience.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by May 23, 2023, (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 recurrence.

Please submit the written response to EGLE, AQD, Lansing District, at Constitution Hall, 525 W. Allegan, P.O. Box 30242, 1st Floor South, Lansing, Michigan 48909 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Roger Corkins, Jr.
Advanced Drainage Systems, Inc.
Page 3
May 2, 2023

If Advanced Drainage Systems 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 Advanced Drainage Systems. 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

Enclosure

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Robert Byrnes, EGLE

Rule 366. (1) A person shall not cause or permit to be discharged to the outer air, from a hot metal desulphurization operation stack, a visible emission with a density of more than 20% opacity.

(2) A person shall not cause or permit to be discharged to the outer air from a building or enclosure containing a hot metal desulphurization operation, a fugitive visible emission with a density of more than 20% opacity.

(3) Compliance with the limits of this rule shall be determined using reference method 9C.

History: 1985 AACCS.

R 336.1367 Visible emissions from sintering operations.

Rule 367. (1) A person shall not cause or permit to be discharged to the outer air, from a sintering operation control device, a visible emission with a density of more than 20% opacity.

(2) A person shall not cause or permit to be discharged to the outer air, from a sintering operation, a fugitive visible emission with a density of more than 20% opacity.

(3) Compliance with the limits of this rule shall be determined using reference method 9 as described in R 336.2004(1)(h).

History: 1985 AACCS.

R 336.1370 Collected air contaminants.

Rule 370. (1) Collected air contaminants shall be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of contaminants to the outer air.

(2) At a minimum, in priority I and II areas listed in tables 33 and 34, the use of 1 or more of the following material handling methods is required for the transport of collected air contaminants:

- (a) Enclosed trucking or transporting vehicles.
- (b) Enclosed, pneumatic, or screw conveying transporting equipment.
- (c) Water or dust suppressant sprays.
- (d) An acceptable method which is equivalent to the methods listed in subdivisions (a), (b), and (c) of this subrule.

History: 1981 AACCS.

R 336.1371 Fugitive dust control programs other than areas listed in table 36.

Rule 371. (1) Based on ambient air quality measurements or substantive complaints, the department may request that the person who is responsible for the operation of any facility which processes, uses, stores, transports, or conveys bulk materials, such as, but not limited to, coal, coke, metal ores, limestone, cement, sand, gravel, and material from air pollution control devices, or a facility which has activities specifically identified in R

336.1372 and which facility is in an area not listed in table 36, submit a fugitive dust control program. The department shall notify the person who is responsible for the operation of the facility of the provisions of R 336.1372 which apply to the facility and the reasons for the department's notification. Except as provided in subrule (3) of this rule, the control program shall be submitted to the department not later than 6 months after notification.

(2) A fugitive dust control program which is required by subrule (1) of this rule shall be in writing and shall provide for all of the following:

(a) Using 1 or more combinations of available technologies, operating practices, or methods listed in R 336.1372 as are reasonably necessary to control fugitive dust emissions.

(b) Consideration of the quantity, moisture content, specific gravity, and the particle size distribution of the bulk materials. The more friable, drier, lighter, and finer the bulk material is, the more effective the fugitive dust control methods incorporated into the control program shall be.

(c) The keeping and maintenance of records consistent with the various activities to be implemented under the control program.

(d) Identification of the control technologies, methods, or control equipment, if any, to be implemented or installed and the schedule, including increments of progress, for implementation or installation.

(3) Within 3 months following notification by the department that a fugitive dust control program is required, the person who is responsible for operating the facility has the opportunity to demonstrate, to the satisfaction of the department, that any part of the facility is not subject to the provisions of this rule.

(4) If a control program is not submitted within 6 months after notification by the department, then the department may proceed, pursuant to the act, toward the entry of a final order which contains a control program that meets the requirements of subrule (2) of this rule.

(5) The control program is subject to review and approval by the department. The department shall approve a control program only upon the entry of a legally enforceable order or as part of an approved permit to install or operate. If, in the opinion of the department, the program does not adequately meet the requirements set forth in subrule (2) of this rule, then the department may disapprove the program, state its reasons for disapproval, and require the preparation and submittal of an amended program within a specified time period. If, within the specified time period, an amended program is either not submitted or is submitted but, in the opinion of the department, fails to meet the requirements of subrule (2) of this rule, then the department may proceed, pursuant to the act, toward the entry of a final order which contains a control program that meets these requirements.

(6) After approval by the department, the person who is responsible for the preparation of the control program shall begin implementation of the program pursuant to the schedule contained in the control program.

(7) Either the person who is responsible for a facility or the department may request a revision to a department-approved control program to meet changing conditions. The department shall review the revision following the requirements of subrule (5) of this rule.

(8) Table 6 reads as follows:

TABLE 36

<u>County</u>	<u>Area</u>
Bay	T14N, R5E, Sections 14 to 16 and 21 to 23.
Calhoun	T2S, R4W, Section 34.
Delta	T39N, R22W, Sections 19, 30, south one-half of 17, and south one-half of 18.
Genesee	Starting on Industrial Avenue, north to Pierson Road, east to Dort Highway, south to Hitchcock Street, south to Olive Avenue (extended), south to Robert T. Longway Boulevard, west and southwest to Industrial Avenue.
Lapeer	7N, R12E, that portion of Section 17 which lies south of M-21 and east of Fairground Road. Macomb T4N, R14E, Sections 27, 28, 33, and 34.
Manistee	T21N, R16W, sections 7, 18, and 19; T21N, R17W, Sections 12 and 13.
Midland	T14N, R2E, Sections 14 to 16, 21 to 23, 26 to 28, and 33 to 35.
Monroe	Starting where Sandy Creek empties into Lake Erie, northwest to Maple Avenue (extended north-northeast), southwest to Elm Avenue, west to Herr Road, south to Dunbar Road and east to Plum Creek (which empties into Lake Erie).
Muskegon	T9N, R16W, Sections 5 and 6; T10N, R16W, Sections 21, 22, and 27 to 34.
Saginaw	Northeast section: starting on Tittabawassee Road, east to I-75, south to Wadsworth Avenue, west to I-675, west and north to Tittabawassee Road. Southwest section: T12N, R4E, the eastern half of Section 34 (that which is east of Maple Street) and Section 35.
St. Clair	T6N, R17E, Sections 2 to 4, 9 to 11, 14 to 16, 21, 22, and 28.

Wayne

Area included within the following (counter clockwise): Lake St. Clair to Moross Road to Seven Mile Road to Vandyke Road to Eight Mile Road to Wyoming Road to Seven Mile Road to Schaeffer Road to Fenkell Road to Greenfield Avenue to Joy Road to Southfield Expressway to Ford Road to Telegraph Road to Cherry Hill Road to Beech-Daly Road (extended) to Michigan Avenue to Inkster Road to Carlisle Street to Middle Belt Road to Vanborn Road to Wayne Road to Pennsylvania Road to Middle Belt Road to Sibley Road to Telegraph Road to King Road to Grange Road to Sibley Road to Jefferson Avenue to Bridge Street (Grosse Ile) extended to Detroit River. Also included is that portion of the City of Riverview which is south of Sibley Road and the City of Trenton.

History: 1981 AACCS; 1985 AACCS; 2002 AACCS.

R 336.1372 Fugitive dust control program; required activities; typical control methods.

Rule 372. (1) A fugitive dust control program which is required by R 336.1371 and which deals with 1 or more of the fugitive dust sources listed in this rule may include any of the typical control methods listed in this rule for that source.

(2) The following provisions apply to the loading or unloading of open storage piles of bulk materials as a source of fugitive dust:

(a) Open storage piles of bulk materials, hereinafter referred to as "piles", which meet any of the following 3 conditions need not be included in a fugitive dust control program:

(i) All piles of the same material at a manufacturing or commercial location which have a total volume of less than 100 cubic meters (131 yards³).

(ii) Any piles at a manufacturing or commercial location if the total annual volumetric throughput of all the stored material at the site is less than 10,000 cubic meters (13,100 yards³).

(iii) Any single pile at a manufacturing or commercial location that has a volume of less than 42 cubic meters (55 yards³).

(b) Typical control methods for controlling fugitive emissions resulting from the loading or unloading of piles may include, but are not limited to, the following:

(i) Completely enclosing the pile within a building furnished with department-approved air pollution control equipment.

(ii) Using pneumatic conveying or telescopic chutes.

(iii) Spraying the working surface of the pile with water or dust-suppressant compound.

(iv) Directing engine exhaust gases that are generated by the machine used on the piles for loading or unloading upwards.

(v) Minimizing the drop distance from which the material is discharged into the pile. The drop distance shall be specified in the control program.

(vi) Periodic removal of spilled material in areas within 100 meters (328 feet) from the pile. The frequency of removal shall be specified in the control program.

(3) All of the following provisions apply to the transporting of bulk materials as a source of fugitive dust:

(a) Trucks which have less than a 2-ton capacity that are used to transport sand, gravel, stones, peat, and topsoil are exempt from the provisions of this subrule.

(b) Typical control methods for controlling fugitive emissions resulting from the transporting of bulk materials by truck may include, but are not limited to, the following:

(i) Completely covering open-bodied trucks.

(ii) Cleaning the wheels and the body of each truck to remove spilled materials after the truck has been loaded.

(iii) Use of completely enclosed trucks.

(iv) Tarping the truck when operating empty if residue has not been completely removed after emptying.

(v) Cleaning the residue from the inside of the truck after emptying.

(vi) Loading trucks so that no part of the load making contact with any sideboard, side panel, or rear part of the load enclosure comes within 6 inches of the top part of the enclosure.

(vii) Maintaining tight truck bodies so that leakages within the body will be eliminated and future leakages prevented.

(viii) Spraying the material being transported in a vehicle with a dust suppressant. The frequency of spraying shall be specified in the control program.

(ix) Restricting the speed of the vehicle which transports the material. The speed of the vehicle shall be specified in the control program.

(4) The following provision applies to outdoor conveying as a source of fugitive dust: Typical control methods for controlling fugitive emissions resulting from conveying bulk materials may include, but are not limited to, the following:

(a) Completely enclosing all conveyor belts and equipping them with belt wipers and hoppers of proper size to prevent excessive spills.

(b) Enclosing transfer points and, if necessary, exhausting them to a baghouse or similar control device at all times when the conveyors are in operation.

(c) Equipping the conveyor belt with not less than 210-degree enclosures.

(d) Restricting the speed of conveyor belts. The belt speed shall be specified in the control program.

(e) Periodically cleaning the conveyor belt to remove the residual material. The frequency of cleaning shall be specified in the control program.

(f) Minimizing the distance between transfer points. The distance between transfer points shall be specified in the control program.

(g) Removing the spilled material from the ground under conveyors. The frequency of removal shall be specified in the control program.

(5) The following provisions apply to roads and lots as sources of fugitive dust:

(a) Roads and lots which are located within industrial, commercial, and government-owned facilities and which meet the following 2 conditions are not subject to the requirement of submitting a fugitive dust control program:

(i) The traffic volume is less than 10 vehicles per day on a monthly average.

(ii) The lots are less than 500 square meters (5,382 feet²) in area.

(b) Typical control methods for controlling fugitive emissions resulting from roads and lots located within industrial, commercial, and government-owned facilities may include, but are not limited to, the following:

(i) Paving roads and parking lots with a hard material, such as concrete, asphalt, or an equivalent which is approved by the department.

(ii) Mechanically cleaning paved surfaces by vacuum sweeping, wet sweep-ing, or flushing. The frequency of cleaning shall be specified in the control program.

(iii) Washing the wheels of every truck leaving the plant premises.

(iv) Treating the roads and lots with oil or a dust-suppressant compound which is approved by the department. The frequency of application shall be specified in the control program.

(v) Periodically maintaining off-road surfaces with gravel where trucks have frequent access. The frequency of maintenance shall be specified in the control program.

(6) The following provisions apply to inactive storage piles as sources of fugitive dust:

(a) Inactive storage piles that are less than or equal to 500 cubic meters (654 yards³) in volume are not subject to the requirement of submit-ting a fugitive dust control program.

(b) Typical control methods for controlling fugitive emissions resulting from inactive storage piles may include, but are not limited to, the following:

(i) Completely covering the pile with tarpaulin or other material ap-proved by the department.

(ii) Completely enclosing the pile within a building.

(iii) Enclosing the pile with not less than 3 walls so that no portion of the stored material is higher than the walls.

(iv) Periodically spraying the piles with water or other dust-suppressant compound approved by the department. The frequency of application shall be specified in the control program.

(v) Growing vegetation on and around the pile.

(7) The following provisions apply to building ventilation as a source of fugitive dust:

(a) This subrule is applicable to all of the following:

(i) Ferrous and nonferrous foundries.

(ii) Electric arc furnaces, blast furnace casthouses, sinter plants, and basic oxygen processes at iron and steel production facilities.

(iii) Metal heat treating.

(iv) Metal forging.

(v) Bulk material handling, storage, drying, screening, and crushing.

(vi) Metal fabricating and welding.

(vii) Briquetting, sintering, and pelletizing operations.

(viii) Machining and pressing of metal.

(ix) Stone, clay, and glass production.

(x) Lime, cement, and gypsum production.

(xi) Chemical and allied product production.

(xii) Asphalt and concrete mixing operations.

(b) Typical control methods for controlling fugitive emissions resulting from building openings, such as roof monitors, powered and unpowered venti-lators, doors, windows, and holes in the building structure integrity, may include, but are not limited to, the following:

(i) Exhausting the entire building to a dust collection system which is acceptable to the department.

(ii) Using local hoods connected to a dust collection system to capture emissions within the building.

(iii) Establishing and maintaining operating procedures and internal housekeeping practices (specify details).

(iv) Installing removable filter media across the vent openings.

(8) The following provisions apply to fugitive dust emissions from construction, renovation, or demolition activities located in priority I areas:

(a) This subrule is applicable to the owner or prime contractor, except for those owners or prime contractors who construct, renovate, or demolish less than 12 single-family dwelling units per year.

(b) Typical control methods for controlling fugitive dust emissions from construction, renovation, or demolition activities may include, but are not limited to, the following:

(i) Spraying of all work areas with water or other dust-suppressant compound which is approved by the department.

(ii) Completely covering the debris, excavated earth, or other airborne materials with tarpaulin or any other material which is approved by the department.

(iii) Any other method acceptable to the department.

History: 1981 AACS; 2002 AACS.

R 336.1373 Rescinded.

History: 1985 AACS; 1997 AACS.

R 336.1374 Particulate matter contingency measures; area listed in table 37.

(1) The provisions of this rule apply to all of the following that are within the area listed in table 37:

(a) Mining operations, standard industrial classification major groups 10 through 14.

(b) Manufacturing operations, standard industrial classification major groups 20 through 39.

(c) Railroad transportation, standard industrial classification major group 40.

(d) Motor freight transportation and warehousing, standard industrial classification major group 42.

(e) Electric services, standard industrial classification group 491.

(f) Sanitary services, standard industrial classification group 495.

(g) Steam supply, standard industrial classification group 496.