



GRETCHEN WHITMER  
GOVERNOR

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



PHILLIP D. ROOS  
DIRECTOR

September 14, 2023

Allen A. Kacenjar, Partner  
Squire Patton Boggs (US) LLP  
1000 Key Tower, 127 Public  
Square Cleveland, Ohio 44114

SRN: U442203492, Lapeer County

Dear Allen Kacenjar:

**SECOND VIOLATION NOTICE**

This is in response to your letter dated September 1, 2023, on behalf of Advanced Drainage Systems, Inc. (ADS), located at 4800 Marlette Road, Clifford, Michigan. The purpose of your letter was to respond to the August 11, 2023, Violation Notice (VN) sent to ADS by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), in which a violation of Michigan Air Pollution Control Rule 901 was cited for nuisance odors detected on June 28 and July 19, 2023.

The September 1, 2023, response has been determined to be inadequate to resolve the violation cited in the VN. Please provide a written response to the August 11, 2023, VN describing the actions that have been taken so far, what future actions are proposed to be taken to correct the violation and what steps are being taken to prevent a reoccurrence. The AQD would also like to further discuss the type(s) of process equipment, the material inputs used in the onsite processes and the ventilation equipment associated with the processes. In response to your email of September 12, 2023, we are available to meet at the ADS facility on Thursday, September 28. Please propose a time for meeting at the site.

Please be advised that failure to provide an adequate compliance program in writing and identifying actions ADS will take, or has taken, to resolve the cited violation may result in escalated enforcement action by the AQD. Please provide the information requested in our August 11, 2023 letter by September 28, 2023, which corresponds to 14 days from the date of this letter.

Please submit the written response to Daniel McGeen at EGLE, AQD, Lansing District, at Constitution Hall, P.O. Box 30242, First Floor South, Lansing, Michigan 48909 or mcgeend@michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Be further advised that issuance of this Violation Notice does not preclude or limit EGLE's ability to initiate any other enforcement action under state or federal law as appropriate.

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If you have any questions regarding the violation or the actions necessary to bring ADS into compliance, please contact me at the number listed below. We will look forward to meeting with you at the site on September 28, 2023.

Sincerely,



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

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