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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



LIESL EICHLER CLARK
DIRECTOR

January 29, 2018

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

Michigan Sugar Company – Croswell Factory
159 South Howard Avenue
Croswell, Michigan 48422

SRN: B2876; Sanilac County

ATTENTION: Mr. Kenneth W. Bennett, Factory Manager

This letter is to advise you of the commencement of escalated enforcement action against Michigan Sugar Company – Croswell Factory (Company). This letter follows the October 17, 2018, Violation Notice issued by the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD) which detailed violations of the Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units, Title 40 of the Code of Federal Regulations Part 60, Appendix F and Subpart Db; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994, PA 451, as amended (NREPA), MCL 324.5501 *et seq.* and the administrative rules promulgated thereunder, and Permit to Install No. 21-15A.

The cited violations against the Company are federally enforceable and are considered a High Priority Violation (HPV) by the United States Environmental Protection Agency (U.S. EPA). The HPV designation means that the U.S. EPA places a priority on enforcing the regulations governing this violation and on formally resolving alleged violations of this type. The AQD is required to report all HPVs to the U.S. EPA, pursuant to the state's grant commitments with the U.S. EPA and the state's delegated enforcement authority of the federal Clean Air Act.

The AQD is providing the Company with an opportunity to formally resolve these violations through the entry of a legally enforceable agreement that will include a compliance program and payment of an appropriate monetary penalty pursuant to Section 5528 of Part 55 of NREPA, MCL 324.5528.

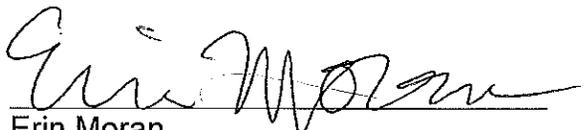
Be advised that failure to respond to this Enforcement Notice in a timely manner and adequately resolve or address the cited violations may result in further enforcement proceedings, including but not limited to, referral of the matter to the Michigan Department of Attorney General (MDAG) for commencement of civil litigation. This

Mr. Kenneth W. Bennett
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Enforcement Notice does not preclude or limit the MDEQ's ability to initiate any other enforcement action under federal or state law as appropriate.

Please contact me at 517-284-6769, or by email at morane@michigan.gov, no later than Friday, February 8, 2019, to schedule a meeting to discuss the resolution of this matter.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

By: 
Erin Moran
Air Quality Division, Enforcement Unit

Date: 1/29/19

cc: Ms. Sarah Marshall, U.S. EPA, Region 5
Mr. Neil Gordon, MDAG
Ms. Karen Kajiya-Mills, MDEQ
Ms. Jenine Camilleri, MDEQ