



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

September 19, 2022

VIA E-MAIL

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

SRN: B2876; Sanilac County

Dear Randy Lesniak:

**VIOLATION NOTICE**

The Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) has reviewed the 2022 Second Quarter Excess Emissions and Monitoring Systems Performance reports submitted by Michigan Sugar Company – Croswell Factory (MSC – Croswell) located at 159 South Howard Avenue in Croswell. The Renewable Operating Permit MI-ROP-B2876-2019a requires the facility to monitor and record nitrogen oxides (NO<sub>x</sub>) emissions from EU-RILEYBLR with a continuous emissions monitoring system (CEMs) that is installed, calibrated, operated, and maintained in accordance with Title 40 of the Code of Federal Regulations (40 CFR), Part 60, Subpart Db.

During the report review, staff determined the following:

Process Description	Rule/Permit Condition Violated	Comments
EU-RILEYBLR	MI-ROP-B2876-2019a, EU-RILEYBLR, SC IV.4, VI.2, SC VI.8	Failure to perform required quarterly quality assurance (QA) for 2022 Second Quarter.

The 2022 second quarter excess emissions and monitoring system performance reports were received on September 6, 2022, and July 28, 2022, respectively. During report review, the AQD evaluated 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; the Air Pollution Control Rules; and the conditions of ROP MI-ROP-B2876-2019a.

The 2022 second quarter excess emissions and monitoring system performance reports indicate that the required quarterly quality assurance cylinder gas audit (CGA) was not completed during the reporting period of April 1, 2022 – June 30, 2022. The report indicates that EU-RILEYBLR operated during the 2022 second quarter.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 10, 2022 (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

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violation and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

EU-RILEYBLR is subject to 40 CFR, Part 60, Appendix F, which requires that a CEMs quality control written procedure be kept on record and available for inspection by the AQD.

EU-RILEYBLR is also subject to AQD Consent Order 2019-11 which requires a quality assurance manual be implemented and all associated records maintained.

The quality assurance manual required by AQD Consent Order 2019-11 includes a list of individuals responsible for maintaining and monitoring the CEMS and their duties. Please include this list in the written response.

It should be noted that the facility is subject to the conditions of a Consent Order (AQD No. 2019-11) which was effective as of May 30, 2019. The violation presented above may result in stipulated penalties for the facility.

Please submit the written response to the following locations:

Lindsey Wells  
EGLE, Air Quality Division  
Constitution Hall, 2<sup>nd</sup> Floor South  
525 West Allegan Street  
Lansing, Michigan 48933

Jenine Camilleri  
EGLE, Air Quality Division  
Constitution Hall, 2<sup>nd</sup> Floor South  
525 West Allegan Street  
Lansing, Michigan 48933

If Michigan Sugar Company – Croswell Factory believes the above observations or statements are inaccurate or do not constitute a violation 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. 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,



Lindsey Wells  
Environmental Quality Analyst  
Air Quality Division  
517-282-2345

cc: Meaghan Martuch, Michigan Sugar Company  
Mary Ann Dolehanty, EGLE  
Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Jeremy Howe, EGLE  
Chris Hare, EGLE  
Benjamin Witkopp, EGLE  
Jenine Camilleri, EGLE