



GRETCHEN WHITMER  
GOVERNOR

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



PHILLIP D. ROOS  
DIRECTOR

April 10, 2024

VIA EMAIL

Jeff Adler, President  
Tuscola Energy, Incorporated  
920 North Water Street, Suite 213  
Bay City, Michigan 48708

SRN: B5462, Lapeer County

Dear Jeff Adler:

**VIOLATION NOTICE**

On April 9, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), reviewed records for the Tuscola Energy, Incorporated (Tuscola Energy) Rich Field Gas Plant located at 7770 McTaggart Road, North Branch, Michigan. The purpose of this review was to determine Tuscola Energy's 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 the conditions of Permit to Install (PTI) number 85-23 and the conditions of Renewable Operating Permit (ROP) number MI-ROP-B5462-2021a.

As a result of the review, staff determined the following:

Process Description	Rule/Permit Condition Violated	Comments
EUGAS-TREATING	MI-ROP-B5462-2021a, EUGAS-TREATING, Special Condition (SC) VII.2	Failure to submit semi-annual deviation report for January 1 - June 30, 2023, and July 1 - December 31, 2023, by September 15, 2023, and March 15, 2024, respectively.
EUGAS-TREATING	MI-ROP-B5462-2021a, EUGAS-TREATING, SC VII.3	Failure to submit annual certification of compliance for January 1-December 31, 2023, by March 15, 2024.

The semi-annual deviation reports for January 1 - June 30, 2023, and for July 1 - December 31, 2023, were not received by the AQD by the due dates of September 15, 2023, and March 15, 2024, respectively. This is a violation of MI-ROP-B5462-2021a, EUGAS-TREATING, SC VII. 2, which requires that semi-annual reports of monitoring or deviations shall be postmarked or received by the appropriate AQD District Office by March 15 for reporting period July 1 - December 31, and September 15 for reporting periods January 1 - June 30.

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The annual certification of compliance for January 1 - December 31, 2023, was not received by the due date of March 15, 2024. This is a violation of MI-ROP-B5462-2021a, EUGAS-TREATING, SC VII.3, which requires that the certification shall be postmarked or received by the appropriate AQD District Office by March 15 for the previous calendar year.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by May 1, 2024, (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the 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 Daniel A. McGeen at EGLE, AQD, Lansing District, at Constitution Hall, First Floor South, P.O. Box 30242, 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.

If Tuscola Energy 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 your cooperation on these issues. 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,



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