



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
CADILLAC DISTRICT OFFICE



DAN WYANT
DIRECTOR

September 26, 2014

Mr. Kurt Jagoda
Merit Energy Company
P.O. Box 910
Kalkaska, Michigan 49646

SRN: N0200, Otsego County

Dear Mr. Jagoda:

VIOLATION NOTICE

On September 17, 2014, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of the Otsego Lake 34 CPF located at SE¼ NE¼, Section 34, Otsego Lake Township, Michigan. The purpose of this inspection was to determine Merit Energy Company'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 administrative rules and the conditions of Permit to Install (PTI) number 327-07A.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Flare	General Condition No. 11 and Rule 301(1)(a)	Visible emissions from the flare were greater than 20 percent opacity

During this inspection it was noted that the flare was emitting opacity in excess of emissions allowed by Act 451, Rule 301.

Enclosed are copies of the instantaneous and six-minute average readings taken at the flare.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by October 16, 2014. 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 reoccurrence.

If Merit Energy Company 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. 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,

A handwritten signature in black ink that reads "Shane Nixon". The signature is written in a cursive style with a large, stylized 'S' and 'N'.

Shane Nixon
Senior Environmental Engineer
Air Quality Division
231-876-4413

cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ



DEPARTMENT OF ENVIRONMENTAL QUALITY
 AIR QUALITY DIVISION
VISIBLE EMISSION OBSERVATION FORM
 Provided under authority of Public Act 451 of 1994

ESTABLISHMENT MERIT ENERGY OTSEGO 34		COUNTY OTSEGO	ESTABLISHMENT NUMBER N0200
EQUIPMENT LOCATION SE NE SECTION 34 T29N R3W		DISTRICT CADILLAC	DATE MM DD YY 9 17 14
CITY/TOWNSHIP OTSEGO LAKE TOWNSHIP		OBSERVER NIXON	CERTIFIED BY / DATE ETA / 4-23-14
PROCESS EQUIPMENT —	OPERATING MODE —	BACKGROUND COLOR START BLUE STOP BLUE	SKY CONDITIONS START CLEAR STOP CLEAR
CONTROL EQUIPMENT FLARE	OPERATING MODE UNKNOWN	WIND SPEED START 6MPH STOP 6MPH	WIND DIRECTION START NE STOP NE
DESCRIBE EMISSION POINT FLARE AND 6 FT FLAME FROM TIP		AMBIENT TEMPERATURE START 49° STOP 49°	HUMIDITY START 93% STOP 93%
HEIGHT ABOVE GROUND LEVEL 50 FT	HEIGHT RELATIVE TO OBSERVER 50 FT	SOURCE LAYOUT SKETCH DRAW NORTH ARROW 	
DISTANCE FROM OBSERVER 100 FT	DIRECTION FROM OBSERVER WEST		
DESCRIBE EMISSIONS START BLACK STOP BLACK			
EMISSION COLOR START BLACK STOP BLACK	PLUME TYPE <input checked="" type="checkbox"/> CONTINUOUS <input type="checkbox"/> FUGITIVE <input type="checkbox"/> INTERMITTENT		
WATER DROPLETS PRESENT? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	IF WATER DROPLET PLUME <input type="checkbox"/> ATTACHED <input type="checkbox"/> DETACHED		
POINT IN THE PLUME AT WHICH OPACITY WAS DETERMINED START TAIL OF FLAME STOP TAIL OF FLAME			
DESCRIBE BACKGROUND START BLUE SKY STOP BLUE SKY			

↓ START TIME **9:10 AM** STOP **9:16 AM** ↓

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
100															
95															
90															
85															
80		XX													
75						XXX									
70				X		X									
65															
60	X		X	XX	X										
55															
50	X	X	X	X	X										
45															
40															
35															
30	X														
25						X									
20	X		X	X											
15															
10															
5															
0															

AVERAGE OPACITY =	SUM OF ANY 24 CONSECUTIVE READINGS 24	HIGHEST 6-MINUTE AVERAGE OPACITY 54.4%	2ND HIGHEST 6-MINUTE AVERAGE OPACITY
COMMENTS —			