



GRETCHEN WHITMER
GOVERNOR

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



DANIEL EICHINGER
ACTING DIRECTOR

March 16, 2023

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

Biewer Sawmill Incorporated
6251 Gerwoude Drive
McBain, Michigan 49657

SRN: N1722; Missaukee County

ATTENTION: Kristopher Demel, Plant Manager

This letter is to advise you of the commencement of an escalated enforcement action against Biewer Sawmill Incorporated (Company). This letter follows the January 30, 2023, Violation Notice issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), 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 (CFR), Part 60, Subparts A and Dc; and the conditions of Renewable Operating Permit (ROP) No. MI-ROP-N1722-2022.

The cited violations against the Company are federally enforceable and are considered a High Priority Violation (HPV) by the United States Environmental Protection Agency (EPA). The HPV designation means that the 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 EPA, pursuant to the state's grant commitments with the 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 Enforcement Notice does not preclude or limit EGLE's ability to initiate any other enforcement action under federal or state law as appropriate.

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Please contact me at 517-275-0883 or by email at MoranE@Michigan.gov, no later than March 30, 2023, to schedule a meeting to discuss the resolution of this matter.

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

By: 
Erin Moran
Air Quality Division, Enforcement Unit

Date: 3/16/2023

cc: Sarah Marshall, U.S. EPA, Region 5
Margaret Bettenhausen, MDAG
Shane Nixon, EGLE
Jenine Camilleri, EGLE
David Bowman, EGLE