



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

June 16, 2020

UPS NEXT DAY DELIVERY

Mr. Daniel Schwab, EHS Specialist
Dicastal North America, Inc.
1 Dicastal Drive
Greenville, Michigan 48838

SRN: N7688; Montcalm County

Dear Mr. Schwab:

SUBJECT: Consent Order AQD No. 2019-21, Stipulated Fines

On August 8, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) and Dicastal North America, Inc. (Company) entered into a Stipulation for Entry of Final Order by Consent AQD No. 2019-21 (Consent Order), to resolve violations that had occurred at the Company's facility in Greenville, Michigan.

In a Violation Notice (VN) dated June 4, 2020, the AQD cited the Company for violating the requirements of Permit to Install (PTI) Number 78-15D, Special Conditions III.1 and III.2, the National Emissions Standard for Hazardous Air Pollutants (NESHAP) for Secondary Aluminum Production, Title 40 of the Code of Federal Regulations (40 CFR), Part 63, Subpart RRR, 40 CFR, Part 63.1506(f) and paragraphs 9.A.1 and 9.B.1 of the Consent Order for failing to maintain a minimum thermal oxidizer 3-hour block average temperature above 730 degrees Celsius.

Paragraph 9.A.1 of the Consent Order states the following:

"On and after the effective date of this Consent Order, the Company shall comply with PTI Number 78-15E and any subsequent permit revision. PTI Number 78-15E is attached hereto as Exhibit A of this Consent Order, incorporated by reference into this Consent Order and shall be enforceable in accordance with the provisions of this Consent Order."

Paragraph 9.B.1 of the Consent Order states the following:

"On and after the effective date of this Consent Order, the Company shall comply with the NESHAP for Secondary Aluminum Production, 40 CFR, Part 63, Subpart RRR."

Furthermore, Paragraph 14 of the Consent Order reads, in part:

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“On and after the effective date of this Consent Order, if the Company fails to comply with paragraph 9.A.1 of this Consent Order, the Company is subject to a stipulated fine of up to \$5,000 per violation per day.”

Additionally, Paragraph 14 of the Consent Order reads, in part:

“On and after the effective date of this Consent Order, if the Company fails to comply with paragraphs 9.B.1, 9.C.1 or 9.C.2 of this Consent Order, the Company is subject to stipulated fines of up to \$2,500 per violation per day.”

The AQD has determined the amount of the stipulated fines to be \$54,600. After reviewing the VN and the Company’s response to the violations, the ADQ used enforcement discretion in determining the amount of the stipulated fines.

The Company is hereby requested to submit the stipulated fines of \$54,600 in accordance with the provisions of Paragraph 14 of Consent Order AQD No. 2019-21 by July 16, 2020. To ensure proper credit, all payments shall include the Agreement Identification Number AQD40227-S on the face of the check. Stipulated fines submitted under this Consent Order shall be made by check, payable to the “State of Michigan” and delivered to the EGLE, Accounting Services Division, Cashier’s Office, P.O. Box 30657, Lansing, Michigan 48909-8157.

Please contact me at 517-275-2620; or e-mail at RathbunJ1@Michigan.gov if you have any questions.

Sincerely,



Jeff Rathbun
Enforcement Unit
Air Quality Division
517-275-2620
RathbunJ1@Michigan.gov

cc: Mr. Neil Gordon, Department of Attorney General
Ms. Heidi Hollenbach, EGLE
Ms. Jenine Camilleri, EGLE