



GRETCHEN WHITMER  
GOVERNOR

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



DANIEL EICHINGER  
ACTING DIRECTOR

April 12, 2023

UPS NEXT DAY DELIVERY

Zach Elliot, Environmental Specialist  
Dicastal North America, Inc.  
1 Dicastal Drive  
Greenville, Michigan 48838

SRN: N7688; Montcalm County

Dear Zach Elliot:

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

On August 8, 2019, the Michigan 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 of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, Permit to Install (PTI) No. 78-15D, and the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Secondary Aluminum Production, Title 40 of the Code of Federal Regulations (CFR), Part 63, Subpart RRR.

In a Violation Notice (VN) dated September 30, 2022, the AQD cited the Company for violating the conditions of PTI No. 78-15H; Mich Admin Code, R 336.1301; Mich Admin Code, R 336.1910; and the terms and conditions of the Consent Order. Specifically, the AQD alleges that the Company failed to properly maintain the pressure differential at the levels established during testing to assure that the non-fugitive enclosure is maintained and operated in a satisfactory manner, failed to maintain the thermal oxidizer temperature at or above the stack test established minimum temperature of 754 degree Celsius on 105 occasions, failed to inject lime into the baghouse, and failed to operate the baghouse properly causing high opacity as observed via Method 9 readings and fallout observed on the ground around the baghouse.

Paragraph 9.A.1 of the Consent Order, in part, puts forth the following conditions:

“On and after the Effective Date of this Consent Order, the Company shall comply with PTI No. 78-15E and any subsequent permit revision.”

Paragraph 9.B.1 of the Consent Order, in part, puts forth the following conditions:

“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.”

Zach Elliot, Environmental Specialist

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Furthermore, 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 paragraph 9.A.1 of this Consent Order, the Company is subject to a stipulated fine of up to \$5,000.00 per violation per day. 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 a stipulated fine of up to \$2,500.00 per violation per day.”

After reviewing the VN and the Company’s response to the violations, the AQD has determined the amount of stipulated fine to be \$116,500.00.

The Company is hereby requested to submit the stipulated fines of \$116,500.00 in accordance with the provisions of paragraph 14 of the Consent Order, by May 11, 2023. To ensure proper credit, all payments shall include the Agreement Identification No. 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 mailed to the Michigan Department of Environment, Great Lakes, and Energy, Accounting Services Division, Cashier’s Office, P.O. Box 30657, Lansing, Michigan 48909-8157.

Sincerely,



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

cc: Margaret Bettenhausen, Department of Attorney General  
Heidi Hollenbach, EGLE  
Jenine Camilleri, EGLE