



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
KALAMAZOO DISTRICT OFFICE



DAN WYANT
DIRECTOR

November 24, 2014

Mr. Anthony Falbo
Fortistar Methane Group
5087 Junction Road
Lockport, New York 14094

SRN: P0222, Calhoun County

Dear Mr. Falbo:

VIOLATION NOTICE

On November 17, 2014, the Michigan Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted a review of an emissions testing report for C&C Energy LLC (Facility), located at 19401 15 Mile Road, Marshall, Michigan. The emissions testing report pertained to the turbine and Engine #2 located at the Facility. Testing was conducted on September 3, 2014. The report was received by the MDEQ, AQD, Kalamazoo District Office, on November 3, 2014; and by the MDEQ, AQD, Technical Programs Unit, Lansing, on November 10, 2014.

The purpose of this review was to determine the Facility'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; the administrative rules; and the conditions of Renewable Operating Permit (ROP) Number MI-ROP-P0222-2012a.

After reviewing the report, staff of the AQD noted the following:

Process Description	Rule/Permit Condition Violated	Comments
FGICENGINES	Conditions 1.2.a, b, and c under the Emission Limits for FGICENGINES contained in the ROP, and Condition 9.a of Consent Order AQD No. 4 -2012	The testing results revealed that Engine #2 failed the carbon monoxide limits in lbs/hr, tons/month, and grams per hp/hr.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by December 19, 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 the Facility 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.

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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 telephone number listed below.

Sincerely,



Matt Deskins
Environmental Quality Analyst
Air Quality Division
269-567-3542

MD:CF

cc: Ms. Lynn Fiedler, MDEQ
Ms. Mary Ann Dolehanty, MDEQ
Ms. Teresa Seidel, MDEQ
Mr. Thomas Hess, MDEQ
Ms. Mary Douglas, MDEQ