



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
KALAMAZOO DISTRICT OFFICE



DAN WYANT
DIRECTOR

May 19, 2015

Mr. Christopher Gill, Director of Greenhouse Operations
Mastronardi Produce Ltd.
2100 Road 4 East
Kingsville, Ontario N9Y 2E5

SRN: P0517, Branch County

Dear Mr. Gill:

VIOLATION NOTICE

The Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD), has been notified that new equipment has been installed, in addition to existing equipment, at Mastronardi Produce Ltd. (Facility), located at 270 North Filmore Road, Coldwater, Michigan. The purpose of this letter is to put you on notice regarding 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 (Act 451); and the administrative rules.

Specifically, three new boilers and one new emergency generator have been installed at the Facility, in addition to the four previously installed boilers and two emergency generators. With the latest installations, the AQD has determined that the potential emissions of nitrogen oxides (NOx) are now over 100 tons per year from all of the installed equipment combined.

Rule 211 of Act 451 essentially states that: The following stationary source is subject to the requirements of R 336.1210 to obtain, and only operate in compliance with, a renewable operating permit: Rule 211(1)(a)(ii)(C) - a major source that emits, or has the potential to emit, 100 tons per year or more of Nitrogen Dioxide.

Failure to obtain a Renewable Operating Permit (ROP) is a violation of Rule 210 of Act 451, for which there is a period of time allowed for compliance. Rule 210(6) outlines the steps that need to be taken after a source becomes major. In summary, an administrative complete application for a ROP must be received by the MDEQ, AQD, not more than 12 months after the stationary source commences operation as a major source.

Another option as an alternative to being a major source is to apply for an Opt-Out Permit to become a synthetic minor source. This type of permit is allowed under Rule 201(2)(b) of Act 451. It is recommended that an application for this type of Permit to Install be submitted prior to the end of the 12 month period so that there is time for review and processing.

An application form is available by request or at the following website:
http://www.deq.state.mi.us/aps/nsr_information.shtml

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by January 1, 2016. The written response should include an application for a ROP or an application for an Opt-Out Permit in order to become a synthetic minor source.

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If the Facility believes the above observations or statements are inaccurate, please provide appropriate factual information to explain your position.

Thank you for your attention to this matter. If you have any questions, please contact me at the telephone number listed below.

Sincerely,



Dale Turton
Senior Environmental Engineer
Air Quality Division
269-567-3554

DT:CF

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