



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

March 26, 2019

CERTIFIED MAIL

Mr. Russell Fowler, Operator
Fowler's Farm-City Sales
2876 West Washington Road
Ithaca, Michigan 48847

SRN: P0528, Gratiot County

Dear Mr. Fowler:

VIOLATION NOTICE

On June 8, 2017 and July 17, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), sent violation notices in follow up to an inspection conducted on May 18, 2017, of Fowler's Farm-City Sales (Fowler's) located at the intersection of West Washington, Ithaca, Michigan. The purpose of this inspection was to determine Fowler'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); the Air Pollution Control Rules; and the conditions of Permit to Install (PTI) number 357-77.

During the inspection, staff observed the following, which was cited in the June 8 and July 17, 2017 Violation Notices:

Process Description	Rule/Permit Condition Violated	Comments
18,000 gallon anhydrous ammonia permanent storage tank	PTI No. 357-77 Special Condition 7	Anhydrous ammonia tank location did not have a sign containing emergency contact information for the owner, primary operator, local and state police, local fire department and ambulance service.

In response to these violation notices, Fowler's stated in a letter received by AQD on July 26, 2017, that the sign would be installed by August 4, 2017. An inspection of the site was conducted on October 17, 2017, and AQD staff found that the emergency contact sign had not been posted. Fowler's stated that they planned to install the sign or possibly remove the anhydrous ammonia tank before the end of calendar year of 2017. On March 16, 2018, a site review found that the anhydrous ammonia tank was still present, and the emergency contact sign had not been posted.

During a phone call on May 3, 2018 with Fowler's, AQD staff was told that the anhydrous ammonia tank was being used and that the emergency contact sign would be posted by May 4 or May 7, 2018. On August 8, 2018, AQD staff drove by the site and determined that an emergency contact sign had not been posted.

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Additionally, on March 20, 2019, AQD staff drove by the site and it was determined that an emergency contact sign had still not been posted.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by April 16, 2019, (which coincides with 21 calendar days from the date of this letter). 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.

Please submit the written response to the DEQ, AQD, Lansing District, at Constitution Hall, 525 W. Allegan, P.O. Box 30242, 1st Floor South, Lansing, Michigan 48909 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at the DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Please be aware that failure to respond to this violation notice and correct the cited violation by the dates Fowler's establishes could result in referral to AQD's Enforcement Unit and escalated enforcement.

If Fowler's 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.

Thank you for your attention to resolving the violation cited above and for the cooperation that was extended to me during my inspection. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Michelle Luplow
Environmental Quality Analyst
Air Quality Division
517-284-6636

cc: Ms. Mary Ann Dolehanty, DEQ
Dr. Eduardo Olaguer, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Jenine Camilleri, DEQ
Mr. Brad Myott, DEQ