



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
BAY CITY DISTRICT OFFICE

EGLE
LIESL EICHLER CLARK
DIRECTOR

July 23, 2021

Mr. David Esser
Compassionate Advisors - Pincanna, LLC
419 East Pinconning Road
Pinconning, Michigan 48660

SRN: P1098, Bay County

Dear Mr. Esser:

VIOLATION NOTICE

On June 4, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Compassionate Advisors - Pincanna, LLC located at 419 East Pinconning Road, Pinconning, Michigan. The purpose of this inspection was to determine Compassionate Advisors - Pincanna, LLC'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 195-19A.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
FGENGINES	Permit to Install (PTI) No. 195-19A, FGENGINES, Special Condition (SC) III.1	Late submittal of Malfunction Abatement Plan (MAP)
FGENGINES	PTI No. 195-19A, FGENGINES, SC IV.5	Operating without pollution control equipment
FGENGINES	PTI No. 195-19A, FGENGINES, SC V.1-2	Late stack test
FGENGINES	PTI No. 195-19A, FGENGINES, SC VII.1-3	Late submittal of notifications
FGENGINES	PTI No. 195-19A, FGENGINES, SC IX.1	Compliance with New Source Performance Standards (NSPS), Subpart JJJJ
FGPROCESSES	PTI No. 195-19A, FGPROCESSES, SC III.1	Late submittal of MAP

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A MAP was not received within 30 days of startup of FGENGINES. This is a violation of PTI No. 195-19A, FGENGINES, SC III.1

The two larger engines (correctly identified as EUGEN3 & EUGEN2) were determined to not be in operation with AeriNO_x SCR pollution control equipment per PTI No. 195-19A. This is a violation per PTI No. 195-19A, FGENGINES, SC IV.5.

A stack test was not completed within 180 days of startup of FGENGINES. This is a violation of PTI No. 195-19A, FGENGINES, SC V.1-2. Additionally, this is a violation of NSPS, Subpart JJJJ regulations.

The following three notifications were received late for each engine.

- A notification of completion within 30 days of installation;
- An initial notification; and
- A notification on whether the engines shall be certified or non-certified.

These are violations of PTI No. 195-19A, FGENGINES, SC VII 1-3. Additionally, this is a violation of NSPS, Subpart JJJJ regulations.

A MAP was not received within 60 days of permit issuance. This is a violation of PTI No. 195-19A, FGPROCESSES, SC III.1.

Compassionate Advisors - Pincanna, LLC shall comply with the provisions of NSPS Subpart JJJJ rules. Based on the observations made, Compassionate Advisors - Pincanna, LLC does not appear to be in compliance with NSPS, Subpart JJJJ rules and this is a violation of PTI No. 195-19A, FGENGINES, SC IX.1.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by August 13, 2021 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

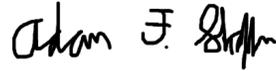
Please submit the written response to EGLE, AQD, Bay City District, at 401 Ketchum Street, Suite B, Bay City, Michigan 48708 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Compassionate Advisors - Pincanna, LLC 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 violations cited above and for the cooperation that was extended to me during my inspection of Compassionate Advisors - Pincanna. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,

A handwritten signature in black ink that reads "Adam J. Shaffer". The signature is written in a cursive style with a large initial "A" and a distinct "J" and "S".

Adam Shaffer
Environmental Quality Analyst
Air Quality Division
989-225-4789

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Chris Hare, EGLE