



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
GRAND RAPIDS DISTRICT OFFICE



DAN WYANT  
DIRECTOR

September 30, 2015

Mr. John Hruby, Environmental Supervisor  
Gerber Products Company  
Nestle Infant Nutrition  
2685 South Luce Avenue  
Fremont, Michigan 49412

SRN: A4338, Newaygo County

Dear Mr. Hruby:

**VIOLATION NOTICE**

On September 17, 2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Gerber Products Company, Nestle Infant Nutrition (Gerber, NIN) located at 405 State Street, Fremont, Michigan. The purpose of this inspection was to determine Gerber, NIN'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 administrative rules; and the conditions of Permit to Install (PTI) number 45-14.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EUBOILER4 84.4MMBtu natural gas boiler	PTI No. 45-14, FGBOILERS, Special Condition (SC) VII.1; 40 CFR 60.48c; 40 CFR 60.7	Failed to submit notification of construction and start-up of EUBOILER4.
SVBOILERS1&2 the combined stack for two 67.3 MMBtu natural gas and No. 2 fuel oil fired Boilers, Numbers 1 and 2	PTI No. 45-14, FGBOILERS, SC VIII.1	The combined stack is being replaced and is an exact replacement for the existing stack. The new stack measures 59 inches in diameter and the maximum diameter limit is 54 inches.

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Gerber, NIN failed to submit a notification at the commencement of construction and at start-up of EUBOILER4. Failure to submit this notification is a violation of PTI No. 45-14, FGBOILERS, SC VII.1 and also the federal Standards of Performance for New Sources (NSPS) for Boilers (Steam Generating Units). These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart 48 and Subpart A. Both 40 CFR 60.48c and 40 CFR 60.7 require the same notification.

During this inspection, AQD staff noted the new replacement combined stack, for SVBOILERS1&2, is 59 inches. This is a violation of PTI No. 45-14, FGBOILERS, SC VIII.1, which limits the maximum diameter of the stack to 54 inches.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 21, 2015 (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.

If Gerber, NIN 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 violations cited above and for the cooperation that was extended to us during our inspection of Gerber, NIN. 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,



Denise Plafcan  
Senior Environmental Quality Analyst  
Air Quality Division  
616-356-0259

cc: Ms. Heidi Hollenbach, DEQ  
cc/via e-mail: Ms. Lynn Fiedler, DEQ  
Ms. Teresa Seidel, DEQ  
Mr. Thomas Hess, DEQ