



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

July 27, 2021

Ms. Sarah Witgen
U.S. Graphite
1620 East Holland Avenue
Saginaw, Michigan 48601

SRN: B1995, Saginaw County

Dear Ms. Witgen:

VIOLATION NOTICE

On June 30, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted a complaint investigation of U.S. Graphite located at 1620 East Holland Avenue, Saginaw, Michigan. The purpose of this investigation was to determine the source of a complaint referred from U.S. Environmental Protection Agency (EPA) regarding rotten egg odor and black soot covering property.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Grinding and Turning Process (the dust collector off of Boxwood)	R 336.1910 An air-cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with these rules and existing law.	Observed collector with opacity and operating improperly.
Grinding and Turning Process (the dust collector off of Boxwood)	R 336.1901 Notwithstanding the provisions of any other rule, a person shall not cause or permit the emission of an air contaminant or water vapor in quantities that cause, alone or in reaction with other air contaminants, either of the following: (a) Injurious effects to human health or safety, animal life, plant life of significant	Samples taken from resident match sample taken from the cartridge collector.

	economic value, or property. (b) Unreasonable interference with the comfortable enjoyment of life and property.	
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In the professional judgment of AQD staff, the dust fallout that was observed was of sufficient intensity, frequency, and duration so as to constitute a violation of Rule 901 of the administrative rules promulgated under Act 451. The AQD received a similar complaint in March 2020. Due to the Covid-19 pandemic an on-site sample was not obtained to perform a comparison analysis. However, during an email exchange, a U.S. Graphite representative explained this same equipment needed cartridges replaced.

In a separate letter, the facility will be asked to prepare a malfunction abatement plan (MAP) to prevent, detect, and correct malfunctions or equipment failures resulting in emissions exceeding any applicable emission limitation.

On June 30, 2021, the AQD staff observed operation of grinding and turning process equipment, while the associated with the dust collector off of Boxwood Street was malfunctioning/offline/inoperable.

This constitutes a violation of Rule 910 of the administrative rules promulgated under Act 451, which requires that an air-cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with the administrative rules and existing law.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by August 17, 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 U.S. Graphite 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 investigation of U.S. Graphite. 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, appearing to read "Gina L. McCann". The signature is fluid and cursive, with the first name "Gina" being the most prominent.

Gina L. McCann
Senior Environmental Quality Analyst
Air Quality Division
989-439-2282

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Chris Hare, EGLE
Mr. John Schmitzer, U.S. Graphite