



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GREETHER
DIRECTOR

May 10, 2017

Mr. Kelly Scheffler
Michigan Sugar Company - Sebewaing Factory
763 North Beck Street
Sebewaing, Michigan 48759

SRN: B2873, Huron County

Dear Mr. Scheffler:

VIOLATION NOTICE

On February 15, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), received the renewal application for Renewable Operating Permit (ROP) No. MI-ROP-B2873-20XX for Michigan Sugar Company - Sebewaing Factory located at 763 North Beck Street in Sebewaing, Michigan. The AQD staff has reviewed the application and has determined the application is not administratively complete, as defined by Section 5507, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, (Act 451).

As required by Rule 210(2) of Act 451, Michigan Sugar Company - Sebewaing Factory was notified on February 16, 2017, of this finding and AQD staff specified the discrepancies and all supplemental materials needed for an administratively complete application from the facility. The February 16, 2017 document requested submittal of a corrected and administratively complete application by May 7, 2017, which is the final due date for an administratively complete application.

On May 4, 2017, AQD District Staff received a response indicating that Michigan Sugar Company - Sebewaing Factory did not concur with the determination, and requested a meeting to address one or more deficiencies. Later discussions with Environmental Partners Staff representing the company indicated that a complete application would be prepared for submittal in the near future.

Please submit the information requested in the February 16, 2017, correspondence using copies of the appropriate Renewable Operating Permit Application forms by June 12, 2017. Certification by a Responsible Official using the Renewable Operating Permit Application C-001 (Certification) Form must be included with all submittals.

Upon preparation of this correspondence, an administratively complete application would be received by this office after the submittal deadline pursuant to Rule 210(9) of Act 451. As a result, this facility has failed to obtain an application shield. Operation of the process or process equipment without the benefit of the application shield constitutes a violation of Rule 210(1) of Act 451.


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Furthermore, on November 7, 2017, Michigan Sugar Company – Sebewaing Factory’s ROP will expire. In accordance with Rule 217(1)(c) of Act 451, the source will lose its “permit shield” upon expiration of the ROP. In addition, according to Section 5506(2) of Act 451, the expiration of an operating permit terminates the person’s right to operate a source. Therefore, if the ROP renewal is not issued by November 7, 2017, and this source continues to operate after this date, the Michigan Sugar Company - Sebewaing Factory is in violation of Section 5506(2) of Act 451.

If Michigan Sugar Company - Sebewaing Factory 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.

The AQD may require additional information as the technical sections of the application are reviewed. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact Sharon LeBlanc at 989-894-6212, or you may contact me at the number listed below.

Sincerely,



Chris Hare
Saginaw Bay District Supervisor
Air Quality Division
989-894-6215

cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Sharon LeBlanc, DEQ
Mr. Steve Smock, MSC