

April 4, 2023

CERTIFIED MAIL

Mr. Chris Hare
District Supervisor
EGLE-Air Quality Division
401 Ketchum St., Suite B
Bay City, MI 48708

CERTIFIED MAIL

Ms. Jenine Camilleri
Enforcement Unit Supervisor
EGLE-AQD
P.O. Box 30260
Lansing, MI 48909-7760

Subject: Response to B2876 VN 20230314 Dated March 14, 2023
Michigan Sugar Company - Croswell Factory

Dear Mr. Hare and Ms. Camilleri,

I am writing on behalf of Michigan Sugar Company (MSC) in response to the March 14, 2023, Violation Notice (VN) issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE). In that VN, EGLE alleged a violation of R 336.1201 based on unpermitted emissions of Volatile Organic Compounds (VOCs) and Carbon Monoxide (CO) in the pulp dryer at that facility. MSC disputes that it has violated R 336.1201, which is repeated below for ease of reference.

R 336.1201 Permits to install.

Rule 201. (1) Except as allowed in R 336.1202, R 336.1277 to R 336.1291, or R 336.2823(15) a person shall not install, construct, reconstruct, relocate, or modify any process or process equipment, including control equipment pertaining thereto, which may emit any of the following, unless a permit to install that authorizes such action is issued by the department.

- (a) Any air pollutant regulated by title I of the clean air act and its associated rules, including 40 C.F.R. §51.165 and §51.166, adopted by reference in R 336.1902.*
- (b) Any air contaminant.*

The pulp dryer(s) at issue in the VN were not installed, constructed, reconstructed, relocated or modified at any point in time after the promulgation of R 336.1201(1). As a result, MSC disputes that it violated R 336.1201.

If you have any questions or comments regarding this matter, please feel free to contact me.

Sincerely,



Meaghan Martuch

Air Compliance Manager
Michigan Sugar Company
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EGLE-AQD

APR 07 2023

Bay City