



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

December 17, 2020

VIA E-MAIL and U.S. MAIL

Mr. James Kochevar
Tilden Mining Company LC
P.O. Box 2000
Ishpeming, Michigan 49849

SRN: B4885, Marquette County

Dear Mr. Kochevar:

VIOLATION NOTICE

On December 14 and December 17, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Tilden Mining Company LC (Tilden) located at 1 Tilden Mine Road, Ishpeming, Michigan. The purpose of this inspection was to determine Tilden'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; the conditions of Renewable Operating Permit (ROP) number MI-ROP-B4885-2017b; and to investigate a recent complaint which was received on December 11, 2020, regarding fugitive dust attributed to Tilden's operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Tailings basin	MI-ROP-B4885-2017b, FG-TACONITEMACT Condition IX.2	AQD staff observed a large cloud of fugitive dust extending several miles to the southeast from the tailings basin.
Tailings basin	Rule 901	AQD staff observed dust fallout on residential property several miles downwind of the tailings basin.

This process is also subject to the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) for Taconite Iron Ore Processing. These standards are found in 40 CFR Part 63, Subpart RRRRR.

AQD staff observed dust fallout in a residential area approximately 10 miles downwind of the basin. In the professional judgment of AQD staff, the dust fallout that were observed were of sufficient intensity, frequency and duration so as to constitute a violation of Rule 901 of the administrative rules promulgated under Act 451.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by January 7, 2021 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation 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, Marquette District, at 1504 West Washington Street, Marquette, Michigan 49855 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

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

Sincerely,



Sydney Hewson
Senior Environmental Quality Analyst
Air Quality Division
906-236-3995

cc: Mr. Brent Ketzenberger, Tilden
Mr. Jerry Messana, Marquette County Health Department
Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Ed Lancaster, EGLE
Ms. Melanie Humphrey, EGLE