



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

March 2, 2022

Mr. Jeff Adler, President  
Tuscola Energy – Richfield Gas Plant  
920 North Water Street, Suite 213  
Bay City, Michigan 48708

SRN: B5462, Lapeer County

Dear Mr. Adler:

**VIOLATION NOTICE**

On February 2 and February 28, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), discussed with you by telephone, the operations of the Tuscola Energy- Richfield Gas Plant (Tuscola Energy) located at 7770 McTaggart Road, North Branch, Michigan. The purpose of this discussion was to determine Tuscola Energy’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; and the conditions of Renewable Operating Permit (ROP) number MI-ROP-B5462-2021a.

Based upon these discussions, staff determined the following:

Process Description	Rule/Permit Condition Violated	Comments
EUGAS-TREATING	MI-ROP-B5462-2021a, EUGAS-TREATING Special Condition VI.3.c	For periods of time when the gas chromatograph was unavailable for determining hydrogen sulfide concentration, stain tubes were used on a daily basis but not on an hourly basis.

MI-ROP-B5462-2021a EUGAS-TREATING Special Condition VI.3.c requires that for every time when stain tubes are used in lieu of the gas chromatograph as an alternate method for determining the hydrogen sulfide concentration in the gas to the flare, records shall be kept of the hourly measurements of the hydrogen sulfide concentration from the stain tubes. In our discussion, it was explained that the measurements have been taken on a daily basis rather than hourly, and consequently there are no records of hourly measurements. Therefore, this is in violation of the requirement.

Mr. Jeff Adler  
Tuscola Energy – Richfield Gas Plant  
Page 2  
March 2, 2022

Be aware that state and federal air pollution regulations prohibit Tuscola Energy from obtaining any new permits for major offset sources located in Michigan until the cited violation(s) are corrected, or until Tuscola Energy has entered a legally enforceable order or judgment specifying an acceptable program and schedule for compliance.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by March 23, 2022, (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, Lansing District, at Constitution Hall, P.O. Box 30242, First Floor South, Lansing, Michigan 48909 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Tuscola Energy 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 your cooperation on this issue. 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,



Daniel A. McGeen  
Environmental Quality Analyst  
Air Quality Division  
517-648-7547

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Christopher Ethridge, EGLE  
Mr. Brad Myott, EGLE