



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
CADILLAC DISTRICT OFFICE



C. HEIDI GREYER  
DIRECTOR

July 28, 2017

Mr. Randy Sanders, Operations Manager  
Merit Energy Company  
PO Box 910  
Kalkaska, Michigan 49646

SRN: B5587, Grand Traverse County

Dear Mr. Sanders:

**VIOLATION NOTICE**

On July 13, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Merit Energy Company - Mayfield 23 located at Center Road, Kingsley, Michigan. The purpose of this inspection was to determine Merit Energy Company's - Mayfield 23 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 Permit to Install (PTI) number 193-08; and to investigate a recent complaint which we received on May 18, 2017, regarding black smoke from the flare attributed to Merit Energy Company's - Mayfield 23 operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Flare	PTI 193-08 General Condition 11; R 336.1301	Visible emissions from the flare exceeded the opacity limit in the permit and Rule 301.

During this inspection it was noted that Merit Energy Company's - Mayfield 23 flare was emitting opacity in excess of emissions allowed by PTI 193-08 General Condition No. 11 and Act 451, Rule 301. The PTI condition and Rule 301 limit visible emissions to a 6-minute average of 20% opacity, except for 1 6-minute average per hour of not more than 27% opacity. Visible emissions observed and recorded at the time of the inspection had a highest 6-minute average opacity of 31%.

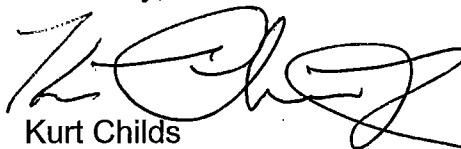
Enclosed are copies of the instantaneous and six-minute average readings taken at Merit Energy Company - Mayfield 23.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by August 18, 2017 (which coincides with 21 calendar days from the date of this letter). The written response should include: 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.

If Merit Energy Company 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 Merit Energy Company - Mayfield 23. 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,



Kurt Childs  
Senior Environmental Quality Analyst  
Air Quality Division  
231-876-4411

Enclosure

cc/via e-mail: Ms. Lynn Fiedler, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Chris Ethridge, DEQ  
Mr. Thomas Hess, DEQ  
Mr. Shane Nixon, DEQ