



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
UPPER PENINSULA DISTRICT OFFICE



C. HEIDI GREYER
DIRECTOR

August 22, 2016

Ms. Gisele Duehring
Northern Michigan University
Facilities/Heating Plant
1401 Presque Isle Avenue
Marquette, Michigan 49855

SRN: M3792, Marquette County

Dear Ms. Duehring:

VIOLATION NOTICE

Under the State of Michigan's Air Pollution Control law and the federal Clean Air Act, a Renewable Operating Permit (ROP) program has been developed and implemented in Michigan. This program requires major sources of air emissions to obtain a facility-wide air use permit. This permit serves as a mechanism for consolidating and clarifying all air pollution control requirements which apply to the source. Rule 210(5) of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), requires major sources to submit an application to the Department of Environmental Quality (DEQ), Air Quality Division (AQD) not more than 12 months after a stationary source commences operation as a major source, as defined by Rule 211(1)(a) of Act 451.

Based on a recent review of the AQD's permit file, specifically Permit to Install (PTI) No. 126-05 and 29-11 (enclosed), the AQD has determined that Northern Michigan University (NMU) located at 1401 Presque Isle Avenue, Marquette, Michigan, meets the definition of a major source and is subject to the requirements of the ROP program.

On July 21, 2005, AQD issued PTI No. 126-05 with emission limits for nitrogen oxides and sulfur dioxide to less than 100 tons per year. This permit provided legally enforceable emission limits that allowed NMU to be a "synthetic minor" source pursuant to Prevention of Significant Deterioration (PSD) and ROP regulations.

On July 5, 2011, AQD issued PTI No. 29-11, for a 59.59 MMBtu/hour biomass boiler, with additional NOx emission limits. The combination of both permits provides the potential for NMU to exceed the synthetic minor threshold of 100 tons per year, and therefore, changes NMU's status to a major source of NOx emissions and is subject to the ROP program.

This constitutes a violation of Rule 210(1) of Act 451 which requires that a source not operate any emission units at a source required to obtain a ROP unless a timely and administratively complete application has been received by the DEQ. As a result of the

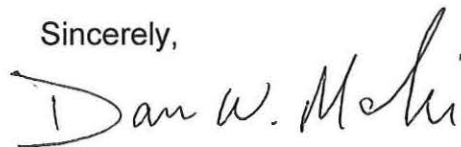
failure to submit a timely and administratively complete application in accordance with the requirements of Rule 210(5) of Act 451, this facility has failed to obtain an "application shield".

Please submit a complete application for a ROP, or as an alternative a New Source Review permit requesting federally enforceable emissions limits restricting NMU's air emissions to below major source thresholds within thirty (30) days from the date of this letter.

If NMU 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.

If you have any questions regarding the violations or the actions necessary to bring NMU into compliance, please contact Mr. Ed Lancaster at 906-250-5124, or you may contact me at the number listed below.

Sincerely,

A handwritten signature in black ink that reads "Dan W. Maki". The signature is written in a cursive style with a large, sweeping initial "D".

Dan W. Maki
Upper Peninsula District Supervisor
Air Quality Division
906-201-2805

Enclosures

cc/via email: Ms. Lynn Fiedler, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Mr. Ed Lancaster, DEQ