



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

April 19, 2018

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

Energy Developments Grand Blanc, LLC
608 South Washington Avenue
Lansing, Michigan 48833

SRN: N5991; Genesee County

ATTENTION: Mr. Dan Zimmerman, Director of OHS and Compliance

This letter is to advise you of the commencement of escalated enforcement action against Energy Developments Grand Blanc (Company) with State Registration Number (SRN) N5991. This letter follows the March 28, 2018, Violation Notice issued by the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD) which detailed violations of Mich Admin Code, R 336.2803, Mich Admin Code, R 336.2804, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451) and Part 40 Code of Federal Regulations (CFR) 52.21, Prevention of significant deterioration of air quality. Additionally, based on the response to the Violation Notice received on April 16, 2018, it has been determined that the Company is in violation of Mich Admin Code, R 336.2802(3), for operating a major modification for sulfur dioxide (SO₂) without first obtaining the proper permit to install.

The alleged violations against the Company are federally enforceable and are considered a High Priority Violation (HPV) by the United States Environmental Protection Agency (EPA). The HPV designation means that the EPA places a priority on enforcing the regulations governing this violation and on formally resolving alleged violations of this type. The AQD is required to report all HPVs to the EPA, pursuant to the state's grant commitments with the EPA and the state's delegated enforcement authority of the federal Clean Air Act.

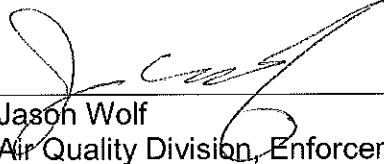
The AQD is hereby providing the Company with an opportunity to demonstrate compliance, present factual information in writing that should be considered regarding the violations and meet to discuss options for satisfactorily resolving the violations. The proposed formal written resolution will include, among other things, a compliance schedule within an administrative consent order and an appropriate monetary penalty. In an effort to seek resolution of the cited federal and state air quality violations, the cited parties will be given an opportunity to discuss a resolution of this matter with the AQD pursuant to Section 5515 of Act 451, which will satisfy both state and federal requirements.

Mr. Dan Zimmerman
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Please contact me at 517-284-6772, or by email at wolfj2@michigan.gov, no later than Monday, April 30, 2018, to schedule a meeting to discuss the resolution of this matter.

Be advised that failure to respond to this Enforcement Notice in a timely manner and adequately resolve or address the cited violations may result in further enforcement proceedings, including but not limited to, referral of the matter to the Michigan Department of Attorney General (MDAG) for commencement of civil litigation. Be further advised that this Enforcement Notice does not preclude or limit the MDEQ's ability to initiate any other enforcement action under federal or state law as appropriate.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

By: 

Jason Wolf
Air Quality Division, Enforcement Unit

Date: 4-19-18

cc: Ms. Sarah Marshall, U.S. EPA, Region 5
Mr. Neil Gordon, MDAG
Mr. Brad Myott, MDEQ
Mr. Malcom Mead-O'Brien, MDEQ