



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

December 20, 2019

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

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

SRN: N5997; Clinton 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, LLC (Company) with State Registration Number (SRN) N5997. This letter follows the October 16, 2019 Violation Notice issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) which detailed violations of Mich Admin Code, R 336.1201, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451 (NREPA), as amended, MCL 324.5501 *et seq.* Additionally, 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 (USEPA). The HPV designation means that the USEPA 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 USEPA, pursuant to the state's grant commitments with the USEPA 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.

Please contact me at 517-284-6772, or by email at wolfj2@michigan.gov, no later than Tuesday, January 7, 2020, 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

ENFORCEMENT NOTICE
Energy Developments, LLC
Page 2
December 20, 2019

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 EGLE's ability to initiate any other enforcement action under federal or state law as appropriate.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENT,
GREAT LAKES, AND ENERGY

By: 

Jason Wolf
Air Quality Division, Enforcement Unit

Date: 122019

cc: Ms. Sarah Marshall, USEPA, Region 5
Mr. Neil Gordon, MDAG
Mr. Brad Myott, EGLE
Ms. Jenine Camilleri, EGLE