



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



DAN WYANT
DIRECTOR

July 21, 2014

Mr. Lloyd A. Rayner
Rayner Farms
8164 West Deckerville Road
Fairgrove, MI 48733

Tuscola County

Dear Mr. Rayner:

SECOND VIOLATION NOTICE

On February 26, 2014, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Rayner Farms located at 8164 Deckerville, Fairgrove, Michigan. The purpose of the inspection was to determine Rayner Farms' compliance with the requirements of the federal Clean Air Act; and Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), the administrative rules and Rule 201.

During the inspection, it was noted that Rayner Farms had installed and commenced operation of an unpermitted hog mortality incinerator at this facility. This is a violation of Act 451, Rule 201.

To be in compliance, you may choose to do one of three things. You may:

1. Agree to retrofit your incinerator with approved control and resubmit the permit to install application and supporting information requested in the April 1, 2014 letter. A copy is attached for your convenience.
2. Propose to install a different incinerator with approved control.
3. Cease operation of your incinerator and decommission the unit. The AQD has been in contact with the Michigan Department of Agriculture and Rural Development (MDARD) and has discussed alternate methodologies for disposal with you.

On March 3, 2014, the AQD sent Rayner Farms a Violation Notice citing the violation discovered as a result of the inspection and requested your written response by March 20, 2014. A copy of that letter is enclosed for your reference.

In response to the Violation Notice, Rayner Farms submitted a permit to install application received by the AQD, Permit Section on March 25, 2014. On April 14, 2014, Ms. Catherin Asselin and Ms. Gina McCann from the AQD conferenced with Mr. Lloyd Rayner, Rayner Farms about the additional basic information requested. During the phone conversation Ms. Asselin agreed to extend the deadline to April 18, 2014 to

receive the additional information requested. The requested information was not received prior to this deadline.

On April 21, 2014 the permit application package was returned to Rayner Farms. On July 16, 2014 Ms. Gina McCann visited the facility it was noted that Rayner Farms had continued operation of the unpermitted hog mortality incinerator at this facility. This continues to be a violation of Act 451, Rule 201.

During the visit, Ms. McCann supplied Rayner Farms with information regarding alternative methods to incinerating carcasses which include burial, composting and/or sending the carcasses to a rendering or animal feed plant and landfilling. Contact information was also provided for the various alternative methods discussed.

Please be advised that failure to respond in writing and identifying actions the company will take or has taken to resolve the cited violation may result in escalated enforcement action by the AQD. Please provide the information requested in our April 1, 2014 letter by August 4, 2014, which corresponds to 14 days from the date of this letter.

Be further advised that issuance of this Violation Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under state or federal law as appropriate.

If you have any questions regarding the violation or the actions necessary to bring Rayner Farms into compliance, please contact me at the number listed below.

Sincerely,



Gina L. McCann
Environmental Quality Analyst
Air Quality Division
989-894-6218

enclosures

gm/ai

cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Mr. Chris Hare, DEQ
Mr. Thomas Hess, DEQ
Ms. Catherine Asselin, DEQ