



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
GRAND RAPIDS DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

January 29, 2020

Mr. Karl Crave
Dynamic Systems Management
W175 N11117 Stonewood Avenue, Suite 209
Germantown, Wisconsin 53022

SRN: N5210, Newaygo County

Dear Mr. Crave:

VIOLATION NOTICE

On January 10, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), received updated Potential to Emit (PTE) calculations for Generate Fremont Digester located at 1634 Locust Street, Fremont, Michigan. The PTE calculations were requested as a result of the August 15, 2019 inspection and subsequent Violation Notice issued to the facility on September 4, 2019.

As a result of the updated calculations and subsequent telephone conversations with the facility consultant, AQD Staff identified the following:

Process Description	Rule/Permit Condition Violated	Comments
Facility Operations	Rule 201	Failure to Obtain a Permit to Install.

The facility-wide Potential to Emit (PTE) demonstration that was supplied to the AQD accounted for the reduction in sulfur concentration due to the use of a desulfurization system at the facility. In accordance with AQD's PTE guidance information located at <http://www.michigan.gov/air>, the use of a control device without any federally enforceable restriction is not allowed when calculating PTE. Therefore, the PTE for SO2 is higher than what was submitted to AQD. The PTE calculations for SO2 completed by the AQD show a PTE above the 40 ton per year (tpy) significance threshold for SO2 and may be above the major source threshold of 100 tpy per R 336.1210.

Additionally, in the November 1, 2019 letter received from Generate Fremont Digester, it is noted that a Permit to Install (PTI) application was necessary and planned for multiple emission units at the facility. The need for a PTI was also cited in the September 4, 2019 Violation Notice issued to Generate Fremont Digester. As of the date of this letter, no PTI application has been received.

Mr. Karl Crave
Dynamic Systems Management
Page 2
January 29, 2020

The AQD staff advised Generate Fremont Digester staff on multiple occasions and Generate Fremont Digester agreed that a PTI application was required. The operation of the Digester and associated equipment without a proper PTI is a violation of Rule 201 of the administrative rules promulgated under Act 451.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by February 19, 2020 (which coincides with 21 calendar days from the date of this letter). The written response should include: 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. The response should include a timeline for submittal of the Permit to Install Application as expeditiously as possible, but by no later than **March 15, 2020**. An application form is available by request, or at the following website: www.michigan.gov/air (in the shaded box on the upper right-hand side of the page).

Please submit the written response to EGLE, AQD, Grand Rapids District, at 350 Ottawa Avenue NW, Unit 10, Grand Rapids, Michigan 49503 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Generate Fremont Digester 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. 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,



Kaitlyn DeVries
Environmental Quality Analyst
Air Quality Division
616-558-0552

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Heidi Hollenbach, EGLE