



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

October 2, 2023

David Rodriguez
US Energy Distribution LLC – Novi Terminal
40600 Grand River Avenue
Novi, MI 48375

SRN: B2881, Oakland County

Dear David Rodriguez:

VIOLATION NOTICE

On June 27, 2023 and August 10, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of US Energy Distribution located at 40600 Grand River Avenue, Novi, Michigan. The purpose of this inspection was to determine US Energy Distribution's compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); the Air Pollution Control Rules; and the conditions of Permit to Install (PTI) number 1140-92E.

During the inspection, staff observed the following:

| Process Description | Rule/Permit Condition Violated | Comments |
|---------------------|--|---|
| Fuel additives | Michigan Air Pollution Control Rule 201 | The additives conveyed through the fuel loading rack have the potential to emit air contaminants. |
| Stack design | PTI 1140-92E, EU-LOADRACK Special Condition VIII.2 | The stack for the vapor recovery unit (VRU) discharges exhaust gas horizontally rather than vertically upwards, as required by the condition. |

During this inspection, it was noted that US Energy Distribution had installed and commenced operation of an unpermitted process at this facility. This is a violation of Rule 201 of the administrative rules promulgated under Act 451.

A program for compliance may include a completed PTI application for the fuel additive process equipment. An application form is available by request, or at the following website: www.michigan.gov/air.

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Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 23, 2023 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the written response to Noshin Khan at EGLE, AQD, Warren District, at 27700 Donald Court, Warren, Michigan 48092 or KhanN5@michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If US Energy Distribution 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 violations cited above and for the cooperation that was extended to me during my inspection of US Energy Distribution. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Noshin Khan
Environmental Engineer
Air Quality Division
586-536-1197

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Joyce Zhu, EGLE