



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

May 7, 2024

VIA EMAIL ONLY

Randy Lesniak, Factory Manager
Michigan Sugar Company - Croswell Factory
159 South Howard Street
Croswell, Michigan 48422

SRN: B2876, Sanilac County

Dear Randy Lesniak:

VIOLATION NOTICE

On May 6, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection in the area near Michigan Sugar Company – Croswell Factory (MSC Croswell) located at 159 South Howard Street, Croswell, Michigan. The purpose of this inspection was to determine 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; the conditions of Renewable Operating Permit (ROP) number MI-ROP-B2876-2019a; and to investigate recent complaints which were received regarding foul odors attributed to MSC Croswell's operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Disposal ponds	R 336.1901 and ROP No. MI-ROP-B2876-2019a, General Condition 12	Odors downwind of various disposal ponds located south as well as southwest of the factory

In the professional judgment of AQD staff, the odors that were observed were of sufficient intensity, frequency, and duration so as to constitute a violation of Rule 901 of the administrative rules promulgated under Act 451 ("the Act") and General Condition 12 of ROP number MI-ROP-B2876-2019a. The findings were verbally discussed in detail with MSC's Eric Rupprecht and Meaghan Martuch on May 7, 2024.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by May 28, 2024, 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.

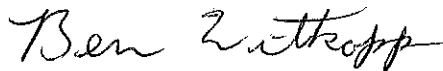
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Please submit the written response to EGLE, AQD, Bay City District, at 401 Ketchum Street, Suite B, Bay City, Michigan 48708 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Michigan Sugar Company – Croswell Factory 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. 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,



Ben Witkopp
Environmental Engineer
Air Quality Division
989-295-1612

cc: Meaghan Martuch, MSC
Eric Rupprecht, MSC
Nick Klein, MSC
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Gina McCann, EGLE