



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

October 31, 2023

VIA EMAIL ONLY

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

SRN: B2876, Sanilac County

Dear Randy Lesniak:

VIOLATION NOTICE

The Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted a review of emissions reporting data submitted for Michigan Sugar Company – Croswell Factory (MSC – Croswell) located at 159 South Howard Avenue, Croswell, Michigan.

The result of the review indicates the following:

Process Description	Rule/Permit Condition Violated	Comments
EU-PULPDRYER (Pulp dryer in Renewable Operating Permit MI-ROP-B2876-2019a)	R 336.1212(6)	Volatile Organic Compound (VOC) and Carbon Monoxide (CO) emissions resulting from pulp drying are no longer being reported after 2009.

Historically, MSC – Croswell reported emissions of VOC and CO generated from the pulp dryer while drying beet pulp until 2009. The basis of the reported emissions was typically “stack test” or “other.” The presence of VOC emissions resulting from the beet pulp itself during the drying process was previously unknown to the industry as well as regulatory agencies. That situation changed when the United States Environmental Protection Agency (USEPA) acted on Michigan Sugar Company - Sebewaing Factory pulp dryer 3 related to prevention of significant deterioration (PSD) regulations concerning VOC and CO emissions. A result was the issuance of air use permit to install (PTI) 339-05A for pulp dryer 3 at Sebewaing, which added large VOC and CO emission limits to the permit. Pulp dryer 3 had previously been permitted for only particulate matter and sulfur dioxide emissions.

The emissions of VOC and CO were reported afterward for MSC - Croswell's pulp dryer once the information at Sebewaing was discovered by USEPA's action. The facility subsequently ceased reporting accurate VOC and CO emissions as noted above. It

should be noted recent emissions reporting for Michigan Sugar Company – Sebewaing Factory pulp dryer 3 did report VOC and CO emissions from the pulp using stack test as the basis. Therefore, the presence and amounts of VOC and CO were, and continue to be known, to Michigan Sugar Company and its environmental staff.

Rule 336.1212(6) of 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 requires sources to report the emissions, or the information necessary to determine the emissions, of each regulated air pollutant. Simply supplying the quantity of beets or fuel used in the pulp dryers is insufficient. Fundamentally speaking, emission factors generated from testing, or other means, are also necessary. In essence, the combination of throughputs and emission factors is needed. R 336.202 (Rule 2) states that "The information shall be specified by the department and shall be submitted on forms available from the department. The information shall include factors deemed necessary by the department to reasonably estimate quantities of air contaminant discharges and their significance." Simply put, the need for throughputs and emission factors is identified on the activity / emissions form in the Michigan Air Emissions Reporting System (MAERS). There is also a tab for attachments to facilitate the inclusion of documentation of the origin of the emission factors.

The lack of reporting VOC and CO emissions from the pulp dryer results in a violation of State of Michigan air quality rule R336.1212(6). There is a clear and stark contrast between the emissions being reported for pulp dryers amongst MSC factories. Bear in mind the emissions reporting information was certified by Responsible Officials as being true, accurate, and complete.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by November 21, 2023 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; 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; and what steps are being taken to prevent a reoccurrence.

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 a violation of the applicable legal requirements cited, please provide appropriate factual information to explain your position.

Randy Lesniak
Michigan Sugar Company – Croswell Factory
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Thank you for your attention to resolving the violation cited above. 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,

A handwritten signature in black ink, appearing to read "Ben Witkopp", with a stylized flourish at the end.

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

cc: Meaghan Martuch, Michigan Sugar Company
Nick Klein, Michigan Sugar Company
Eric Rupprecht, Michigan Sugar Company
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Chris Hare, EGLE