STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
AIR POLLUTION CONTROL COMMISSION

In the matter of administrative proceedings against MONITOR SUGAR COMPANY, a corporation organized under the laws of the State of Michigan and doing business at 2600 South Euclid Avenue, City of Bay City, County of Bay, State of Michigan.	SIP No. 21-1981

STIPULATION FOR ENTRY OF CONSENT ORDER AND FINAL ORDER

This proceeding resulted from allegations by the staff of the Air Quality Division of the Department of Natural Resources (hereinafter referred to as the "Staff"). The Staff alleges that Monitor Sugar Company, a Michigan corporation (hereinafter referred to as the "Company"), located at 2600 South Euclid Avenue, City of Bay City, County of Bay, State of Michigan, is emitting particulate from its facilities in excess of allowable limits as established by Administrative Code 1980 AACS, R 336.1301 and R 336.1331. The Company and the Staff agree to the termination of this proceeding by entry of a Final Order by consent.

The Company and the Staff agree as follows:

1. The Company admits that the Chief of the Air Quality Division of the Department of Natural Resources is authorized by resolution of the Air Pollution Control Commission (hereinafter "Commission") adopted June 28, 1977, as agent of the Commission to enter into this Final Order by consent.

2. The Company stipulates that the Chief of the Air Quality Division of the Department of Natural Resources is charged with the investigation and enforcement of all orders, regulations, rules, standards and statutes of the State of Michigan concerning the emission and control of air contaminants.

3. The Company stipulates that the termination of this matter by a Final Order to be entered as a Consent Order is proper and acceptable.

4. The Company and the Staff agree that the signing of this Stipulation is for settlement purposes only and does not constitute an admission by the Company that the law has been violated. Both Staff and the Company agree that the particulate emissions from the coal-fired boilers should be abated. The Company shall achieve compliance with the aforementioned regulations in accordance with the following schedule:

(a) By October 15, 1981, the Company shall rebuild and repair both the fly ash collector and the over fire air systems for Boilers 1, 2, and 3.

(b) After October 15, 1981, and until October 15, 1982, the particulate emissions from each of Boilers 1, 2, 3, and 4 shall not exceed 0.65 pounds of particulate per 1,000 pounds of gas, corrected to 50 percent excess air.

(c) After October 15, 1981, and until October 15, 1982, the Company shall not combust coal containing more than 15 percent fines.

(d) By January 1, 1982, the Company shall test (conducted according to procedures approved by Staff) the emission from Boilers 1, 2, and 3 and submit to the Staff the detailed report of the test data and results.

(e) After January 1, 1982, and until October 15, 1982, visible emissions from Boilers 1, 2, 3, and 4 shall not exceed a percent opacity, to be determined by averaging three 15-minute observations, one each to be conducted during each of the three emission tests on Boilers 1, 2, and 3 by a certified staff observer, except as specified in R 336.1301(1)(a) and (b) of the Commission's rules.

(f) By the effective date of this order, the Company shall submit to the Staff, pursuant to the Commission's rules, acceptable plans and specifications and applications for installation permits describing air pollution control device(s) and other equipment to further control the particulate emissions from Boilers

1, 2, 3, and 4 to obtain compliance with the emission limits specified in Paragraph 4(m) and (n). Those control devices and other equipment shall at least include replacing the collection equipment on the boilers with higher efficiency collectors and installing new combustion controls, to at least include oxygen analyzers for each of the four boilers and new furnace draft regulators for Boilers 1, 2, and 3, and continous ash discharge stokers on Boilers 1, 2, and 3.

(g) By November 1, 1981, the Company shall submit to the Staff evidence to substantiate that the required air pollution control device(s) and other equipment to be used to control the particulate emissions from Boilers 1, 2, 3, and 4 have been placed on order with the manufacturer.

(h) By March 1, 1982, and after receiving the installation permit referred to in Paragraph 4(f), above, the Company shall begin on-site installation of said air pollution control device(s) and other equipment.

(i) By August 15, 1982, the Company shall complete the construction and tie-in of the higher efficiency collectors.

(j) By August 31, 1982, the Company shall complete the installation of the new combustion controls.

(k) By September 15, 1982, the Company shall complete the installation of the continuous ash discharge stokers.

(l) By October 15, 1982, the Company shall have placed in operation said air pollution control device(s) and other equipment and notify the Staff in writing that the device(s) and/or equipment have been placed in operation.

(m) After October 15, 1982, the particulate emissions from each of Boilers 1, 2, 3, and 4 shall not exceed 0.30 pounds per 1,000 pounds of exhaust gases, corrected to 50 percent excess air.

(n) After October 15, 1982, visible emissions from Boilers 1, 2, 3, and 4 shall not exceed 20 percent except as specified in R 336.1301(1)(a) and (b) of the Commission's rules.

(o) By January 1, 1983, the Company shall test (conducted according to procedures approved by Staff) both the emissions from Boilers 1, 2, and 3 (combined stack) and Boiler 4 (separate stack) and submit to the Staff the detailed reports of the data and results for both tests.

(p) After February 15, 1983, the Company shall annually, by June 1 of each year, conduct a thorough inspection of the boilers, their combustion controls, and the internals of the mechanicl dust collectors and submit a report to the Staff describing the condition of that equipment and the corrective actions, if any, that will be taken to ensure emissions will be reduced to the greatest practicle extent during the next campaign. The Staff shall be given an opportunity to conduct a similar evaluation while this equipment is open for these inspections.

5. The Staff and the Company do not regard this abatement program as a variance subject to the 12-month limitation specified in Section 22 of the Air Pollution Act, being MCLA 336.32. Approval of this abatement program is not a major state action for purposes of further environmental review pursuant to Executive Order 1974-4.

6. Staff and the Company both acknowledge that a public hearing on this abatement program was held on September 15, 1981. Both Staff and the Company consent to enforcement of this Stipulation and Final Order in the same manner and by the same procedures for all final orders entered pursuant to Section 16 of 1972 PA 257, MCLA

336.26, including enforcement pursuant to 1970 PA 127, MCLA 691.1201 et. seq.; MSA 14.528(201) et. seq.

Approved as to Form and Content:

Charles L Bell, Pres.

MONITOR SUGAR COMPANY

Dated: Sept 25, 1981

Approved as to Content:

Robert Miller

Robert P. Miller, Acting Chief
AIR QUALITY DIVISION
DEPARTMENT OF NATURAL RESOURCES

Dated: 10/29/81

Approved as to Form:

Stewart H. Freeman
Assistant Attorney General
DEPARTMENT OF ATTORNEY GENERAL

Dated: October 19, 1981

FINAL ORDER

This Commission having had opportunity to review the above stated Stipulation for Entry of Consent Order, and this Commission having authorized the Chief of the Air Quality Division of the Department of Natural Resources as agent of the Commission to enter into consent orders,

IT IS ORDERED that this Consent Order shall be entered in the record of this Commission as stated herein.

AIR POLLUTION CONTROL COMMISSION

By: Robert Miller

Robert P. Miller, Acting Chief
Air Quality Division
Department of Natural Resources

Dated: 10/29/81