

# PROPOSED ENFORCEMENT SUMMARY

## GRAPHIC PACKAGING INTERNATIONAL, LLC

The Michigan Department of Environment, Great Lakes, And Energy, Air Quality Division (AQD), is asking for comments from the public on a proposed Consent Order for Graphic Packaging International, LLC, otherwise known as Graphic Packaging or Company. The AQD will accept comments on the proposed Consent Order at the public hearing on December 1, 2022, and until the close of the comment period on December 9, 2022. We will review all comments before we make a final decision on the proposed Consent Order.

### WHAT DOES GRAPHIC PACKAGING CURRENTLY DO?

Graphic Packaging makes paper-based packaging for a variety of products including cups, cartons, boxes, and other food containers. The paper plant is located at 1421 N. Pitcher Street in Kalamazoo.

### WHAT IS A CONSENT ORDER?

A Consent Order is a legally enforceable voluntary settlement containing a compliance program to resolve alleged air quality violations and prevent future violations, as well as a monetary fine.

### WHY DOES GRAPHIC PACKAGING NEED A CONSENT ORDER?

From February 2017 to November 2020, the AQD issued six Violation Notices to Graphic Packaging. The alleged violations include:

- Emitting odors from its facility that created an unreasonable interference with the comfortable enjoyment of life and property;
- Beginning construction of footings and foundation for two new boilers before obtaining a permit.

The AQD is taking an enforcement action to resolve these violations. To settle the action, the AQD and Graphic Packaging agreed to enter into this proposed Consent Order.

### WHAT DOES THE PROPOSED CONSENT ORDER REQUIRE GRAPHIC PACKAGING TO DO?

The proposed Consent Order requires Graphic Packaging to pay a fine and follow a compliance program to prevent similar violations in the future. This includes the following:

- Follow the Nuisance Minimization Plan for Odors and prevent nuisance odors from being emitted from the plant.

- Operate the currently installed oxygenation system on the wastewater treatment clarifier until a permanent system is installed.
- Install continuous oxidation-reduction potential and dissolved oxygen monitors in the wastewater clarifier.
- Install a wet scrubber to control odors from the wet well, AES building filter area, and sludge drum filter vacuum outlet area.
- Comply with the state permitting rules.

Graphic Packaging will pay a monetary fine of \$99,270.00. Additionally, the proposed Consent Order includes specific fines the Company must pay if it does not meet the requirements detailed in the order.

### HOW WAS THE MONETARY FINE DETERMINED?

An initial fine was calculated using the USEPA Clean Air Act Stationary Source Civil Penalty Policy and Michigan's civil fine statutory authority. The penalty policy takes into account several factors, including actual or possible harm caused by the violation(s), the number and length of time of the violation(s), importance to the regulatory scheme, and the size of the violator.

### WHERE CAN I FIND MORE INFORMATION?

There are three ways to find out more information about this proposed Consent Order:

1. The Enforcement Summary Report has additional details about the proposed Consent Order.
2. The proposed Consent Order.
3. The AQD staff can provide other information upon request.

### WAS ANY TRANSLATION INTO OTHER LANGUAGES DONE?

An evaluation of the number of people who speak English "less than very well" within a 1-mile radius of

the proposed project’s location was done. This is required by EGLE’s [Limited English Proficiency Plan](#) using an environmental justice screening tool like USEPA’s [EJSCREEN](#). The evaluation found that translation would not likely be helpful.

**HOW CAN I PARTICIPATE IN THE PROCESS?**

The AQD welcomes participation by the public in this enforcement process. There are several ways the public can get information, ask questions, or submit an official comment about the proposed Consent Order.

**WHAT PUBLIC COMMENTS CAN EGLE CONSIDER?**

Comments from the public are very important. But it is also important to know the law is clear about what we can and cannot consider when we make our decision. Some examples are below.

What we can consider	What we can’t consider
<ul style="list-style-type: none"> <li>✓ Technical mistakes in the review</li> <li>✓ Grammar and spelling mistakes</li> <li>✓ Other rules the action should consider and why</li> <li>✓ Why the action will not follow the rules</li> </ul>	<ul style="list-style-type: none"> <li>• Air, land, or water issues not part of the enforcement action</li> <li>• Indoor air pollution</li> <li>• Traffic</li> <li>• Noise and lights</li> <li>• Zoning issues</li> <li>• Anything unrelated to the project</li> </ul>

**HOW DO I MAKE A COMMENT?**

You may comment at any time during the comment period. Prior to making a comment, it is a good idea to “[View an Example](#)” of how to do it. This document can be found by going to [Michigan.gov/Air](http://Michigan.gov/Air), choose “choose Enforcement Program” then choose “[Proposed](#)

[Consent Order Public Notice Documents](#)”. Comments must be received by **December 9, 2022**.



Via email  
[WolfJ2@Michigan.gov](mailto:WolfJ2@Michigan.gov)



Via US mail  
Enforcement Unit  
EGLE, AQD, P.O. Box 30260  
Lansing, MI 48909-7760



Via voicemail  
by calling 517-284-0900



At the [Virtual Information Session and Public Hearing](#), on December 1, 2022, at 6 p.m.

**Who can I contact?**

For more information about the proposed Consent Order, please contact Jenine Camilleri, AQD, at [CamilleriJ@Michigan.gov](mailto:CamilleriJ@Michigan.gov) or 517-643-2612.

**SUMMARY:**

The AQD has prepared a proposed Consent Order containing an adequate compliance program and specific monetary fine. We are recommending this proposed Consent Order be signed to legally bind Graphic Packaging to this agreement.

Before the AQD makes a decision on the proposed Consent Order, we are requesting comments from the public. All comments received during the public comment period and during the public hearing will be considered for the final decision. The comment period ends at the close of day on December 9, 2022. Once the comments are reviewed, the AQD will decide whether to enter into the proposed Consent Order as written or renegotiate the terms with Graphic Packaging based on the comments received.

EGLE promotes the equitable treatment and meaningful involvement of Michigan’s residents regarding the development, implementation, and enforcement of laws, regulations, and policies. Equitable treatment means that no group of people bears a disproportionate share of the negative consequences resulting from governmental, industrial, or commercial operations and policies. Meaningful involvement means all people have an opportunity to participate in decisions that affect their environment and/or health.

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