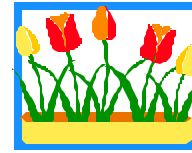
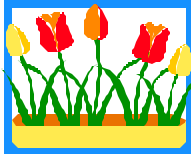


WEST MICHIGAN ENVIRONET



A Newsletter of the West Michigan Chapter of the Air and Waste Management Association

Volume No. 11 Issue No. 2

Spring 2003

THE DIRECTOR'S VISION FOR THE MDEQ

By: Patricia Spitzley
Press Secretary
Michigan Department of Environmental Quality
Email: spitzlep@michigan.gov

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The new director of the MDEQ, **Steven E. Chester**, began his career as an Assistant Prosecuting Attorney in the Wayne County Department of Health, Air Pollution Division in 1982. Since then, he has spent his entire career dedicated to protecting human health, and to preserving this remarkable ecosystem we've inherited and now hold in trust for future generations. He served as an Assistant to the Attorney General in the Environmental Protection Division of the Michigan Department of Attorney General. He then moved to the United States Environmental Protection Agency where he held the position of Deputy Enforcement Counsel and also Deputy Director of the US EPA Office of Criminal Enforcement. Director Chester was most recently a partner at the law firm of Miller, Canfield, Paddock and Stone, specializing in environmental representation.

One of Director Chester's goals is to rebuild the integrity of the DEQ as an environmental protection agency that is seen by the people of the State of Michigan as professional, just and productive. He would like to see a department where:

- A person is encouraged to make a difference, not discouraged to become indifferent;

- Openness and inclusiveness are embraced and every voice has an opportunity for expression;
- Permits and licenses are reviewed and issued at a 21st Century pace, and the regulated community has no basis to complain;
- Enforcement is way down, because compliance rates are way up;
- Creative minds are encouraged to find innovative solutions to environmental problems, and there is the will to follow through on those solutions;
- Managers and staff – each with their own diverse skills and talents – focus on a common goal, and labor for a common good;
- Excellence and integrity are nurtured and cultivated and grown.
- The public knows bureaucracy has been laid to rest - and exceptional public service thrives;
- And most importantly, principled people make principled decisions, all for the sake of human health and a healthy environment.

NEW FEDERAL RULES FOR PERMITTING MAJOR SOURCES IN MICHIGAN

By: *Paul M. Collins*
 Supervisor – Operating Permit Unit
 Michigan Department of Environmental Quality
 Air Quality Division
 Email: collinpm@michigan.gov

The new rules for the United States Environmental Protection Agency’s (EPA) New Source Review (NSR) permitting program became effective on May 3, 2003. Due to its Prevention of Significant Deterioration (PSD) delegation agreement with the EPA, Michigan is one of only six states¹ in the nation where these rules are currently in effect. The PSD program applies to construction and/or modification of major sources of air pollution. All of the new rules affect PSD applicability for modifications at existing PSD sources².

What has changed?

The new rules change the basic way a net emission increase is calculated. They also offer a menu of other

¹ The other places where the new federal rules are effective and being applied by the state agencies are Hawaii, Illinois, Minnesota, Washington, and Pennsylvania.

² The new rules also apply to NSR for major sources located in nonattainment areas. Michigan has three years to change its state rules applying to these sources. Michigan currently has no nonattainment areas.

options which may alternatively be used for determining PSD applicability. Each PSD subject facility that is considering modifying its equipment must consider this menu and decide which option works best for them. A brief summary of each new option is included below.

What hasn’t changed?

The NSR program’s core requirements remain unchanged (control technology evaluation, ambient air quality impact analysis, preconstruction monitoring, etc.). NSR applicability for new sources is also not affected by the changes. It should also be noted that most Michigan Department of Environmental Quality Air Permits to Install (approximately 95%) are issued for sources that are smaller than those covered by the PSD program. The state rules covering non-PSD sources are not affected by the federal rule changes. Described below are the options for determining PSD applicability.

Net Emissions Increase – Part 1

Any facility that chooses may still use the past-actual vs. potential comparison.

Net Emissions Increase – Part 2

Electric utilities will continue to be covered by the “WEPCO” provisions. These require a 5-year baseline period for past actual emissions.

Net Emissions Increase – Part 3

The core method of comparing past actual emissions to future potential emissions has changed for existing sources. The baseline period for past actual emissions has been extended to any 24-month period in the past 10 years. Facilities may also project their actual emissions for the future. In making these projections, emissions due to business growth, which could have been accommodated prior to the change, may be excluded.

Plantwide Applicability Limits (PALs)

A PAL is an alternate NSR applicability approach. A pollutant specific PAL would be based on a facility’s baseline actual emissions plus the significant emission level (typically 40 tons per year). Construction activities at a facility covered by a PAL would not be subject to major NSR as long as the PAL is not exceeded. Emissions would have to be tracked for all sources of the PAL pollutant at the facility.

Pollution Control Projects

The current practice of exempting environmentally beneficial activities has been expanded to include the

installation of most control equipment and many "fuel-switching" projects. A list of approved projects is included in the rule. Applicants may also propose other innovative pollution control projects.

Clean Units

Major emission units that have already undergone NSR and installed add-on controls may make changes without undergoing additional NSR for a period of 10 years, as long as they comply with their original permit limits. If an existing facility demonstrates that a non-major emission unit is equipped with "state-of-the-art" controls, it may also receive this exemption.

There are many requirements associated with each of the options. Not every option will be suitable for every source. Many of the options provide operational flexibility with certainty that NSR will not apply. However, these options may require additional monitoring, recordkeeping, and reporting to verify that NSR was not necessary. Such requirements may result in significant additional operational costs. Also, utilization of some of the options could preclude a source from later using emission reductions as offsets or emission reduction credits. Each source will need to carefully weigh these options in relation to its current business practices and future plans and decide which option best suits its needs.

**MICHIGAN SOLID WASTE LANDFILLS ON ALERT
FOR ADDITIONAL MDEQ INSPECTIONS**

By: *Dave Preston*
Varnum, Riddering, Schmidt & Howlett, LLP
Email: depreston@vrsh.com

Governor Jennifer Granholm's March announcement has Michigan solid waste landfills on the alert for additional MDEQ inspections in 2003. The March 11, 2003 press release describes a plan to increase the frequency of solid waste landfill inspections. The additional inspections will focus on whether prohibited items are contained in Michigan and out-of-state waste deliveries. Prohibited items include hazardous wastes, polychlorinated biphenyl wastes, bulk liquids, used lead acid batteries, and yard clippings. The inspection initiative responds to citizen concerns about the composition of wastes being sent to Michigan landfills.

The initiative calls for inspections beyond the quarterly inspections routinely conducted for operating landfills each year. The additional inspections will focus on the

waste being received at the time of the inspection. These inspections will be conducted for a representative range of landfills during March through June of 2003. This initial group of inspection results will be evaluated to determine whether prohibited wastes were observed and in formulating further plans. A letter was sent to landfill representatives in March by MDEQ-WHMD announcing and describing the inspections. As the March letter indicates, landfill operators may be asked to provide records concerning incoming wastes for inspector review. Operators can also expect that inspectors will spend additional time at the working face of the landfill while waste transport vehicles are being unloaded.

MDEQ suggests that questions regarding the inspections and prohibited wastes be directed to Mr. Phil Roycraft of MDEQ-WHMD at 231-775-3960, Ext. 6200.

MACT STANDARDS AND 112j DEADLINES

By: *Bruce H. Connell*
Environmental Resources Management, Inc.
Email: bruce.connell@erm.com

With each passing day, major sources of Hazardous Air Pollutants (HAPS) are asking the question, "will we need to submit a Part 2 MACT application under 112j"? Equally interesting is the question that if a Part 2 application is required, when is it due? The simple answer to both questions is: "we're not sure." To understand the confusing answer, we must first understand what is currently the legal requirement and then determines the current status of each of the impending MACT standards.

Under Title III of the Clean Air Act, Congress required that EPA complete its promulgation of the National Emissions for Hazardous Air Pollutants (NESHAPS) for all identified processes by November 15, 2000. Under 112j of the Clean Air Act, if the EPA had not fulfilled its obligation to complete an applicable standard within 18 months following this date (by May 2002), then a subject source must submit information to the permitting authority, which allows for a case-by-case MACT determination.

The 18-month window ended May 15, 2002. Since EPA was going to miss the deadline for 37 source categories, EPA tried to grant itself an "extension". To meet the requirements of Section 112j, the EPA developed a schedule allowing for a 2-part application.

Part 1, which was due May 15, 2002, simply required the source to identify the standard(s) which may be applicable. Part 2, due twenty four months after the submittal of a Part 1 application, is required to include the details necessary for making a final determination of case-by-case MACT. This schedule was formally adopted by EPA and published in the Federal Register (67 FR 16581 April 5, 2002) and is currently codified under 63.52 and 63.53.

Now there has been much written about the Sierra Club lawsuit and out-of-court settlement which truncated this extension schedule with a "Bin Schedule". Under the "Bin Schedule", the yet to be promulgated MACT standards have been grouped into one of four bins, with new Part 2 submittal deadline dates. The four bin dates are May 15, 2003, October 30, 2003, April 28, 2004, and August 13, 2005. The intent of the "Bin Schedule" was to allow the EPA to complete many of the MACT standards, which are near completion already. This would provide relief to industry because once the MACT is promulgated there is no longer any need for a Part 1/Part 2 application for case-by-case MACT.

For a source to avoid having to complete the Part 2 application, the applicable standard must be FINAL and formally published in the Federal Register on or before the corresponding "Bin Schedule" date. Since the Sierra Club settlement a number of proposed

MACT standards have become final. The attached table presents the most recent update from the EPA's website, with each standard grouped in its corresponding bin, and its current status with respect to being final.

What must be noted is that at the time of this writing neither the Sierra Club settlement schedule nor the re-negotiated "Bin Schedule" have been formally adopted and published in the Federal Register. Therefore, at this point the only LEGAL requirement is to have a Part 2 application submitted by May 15, 2004.

It is expected that the EPA will finalize the amendments to the rules by late April and formally publish the re-negotiated Bin Schedule in the Federal register within a week (i.e., early May 2003). This means that the Part 2 application deadline is still a moving target but it does sound like the EPA is on course to implement the "Bin Schedule". Once that occurs most sources will have their Part 2 application deadline moved up, some to as early as May 15, 2003.

The best course is to get ready to submit a Part 2 application by the "Bin Schedule" date or May 15, 2004, whichever date is sooner for your applicable process and then keep checking the EPA website (www.epa.gov/ttn/oarpg/ramain.html) for updates on whether your MACT standard is promulgated prior to your deadline.



MACT STANDARDS UPDATE

Subpart	Title	Proposed Date	Final Date	112j Submittal Date
AAAA	Municipal Solid Waste Landfills	11/7/00 5/23/02	1/16/03	5/15/03
OOOO	Printing, Coating, and Dyeing of Fabrics	7/11/02	2/25/03	
QQQQ	Wood Building Products	6/21/02	2/13/03	
RRRR	Metal Furniture	4/24/02	2/18/03	
WWWW	Reinforced Plastic Composite Production	8/21/01	4/21/03	
BBBBB	Semiconductor Production	5/8/02	3/6/03*	
CCCCC	Coke Ovens: Pushing, Quenching, and Batter Stacks	7/3/01	3/6/03*	
FFFFF	Integrated Iron and Steel Manufacturing	7/13/01	3/6/03*	
JJJJJ	Brick and Structural Clay Products and Manufacturing	7/22/02	3/5/03*	
KKKKK	Clay Ceramics Manufacturing	7/22/02	3/6/03*	
LLLLL	Asphalt Roofing Manufacturing and Sphalt Processing	11/21/01	3/7/03*	
MMMMM	Flexible Polyurethane Foam Fabrication	8/8/01	3/7/03*	
NNNNN	Hydrochloric Acid Production and Fumed Silica (that burn no hazardous waste)	9/18/01	3/5/03*	
PPPPP	Engine Test Facilities and Rocket Testing Facilities	5/14/02	3/5/03*	
SSSSS	Refractories Manufacturing	6/20/02	3/5/03*	
EEEE	Organic Liquids Distribution	4/4/02		10/30/03
FFFF	Miscellaneous Organic Chemical Manufacturing (MON)	4/4/02		
KKKK	Metal Can	1/15/03		
MMMM	Miscellaneous Metal Parts and Products	8/13/02		
PPPP	Plastic Parts and Products	12/4/02		
YYYY	Combustion Turbines	1/14/03		
AAAAA	Lime Manufacturing	12/20/02		
EEEEE	Iron and Steel Foundries	12/23/02		
GGGGG	Site Remediation	7/30/02		
IIIII	Chlorine Production	7/3/02		
RRRRR	Taconite Iron Ore Processing	12/18/02		
TTTTT	Primary Magnesium Refining	1/22/03		
DDDD	Plywood and Composite Wood Products	1/9/03		4/28/04
IIII	Auto and Light-Duty Truck (surface coating)	12/24/02		
ZZZZ	Reciprocating Internal Combustion Engines (RICE)	12/19/02		
DDDDD	Industrial, Institutional, Commercial Boilers and Process Heaters (that burn no hazardous waste)	1/13/03		8/13/05
DDDDD	Industrial, Institutional, Commercial Boilers and Process Heaters (that burn hazardous waste)	1/13/03		
NNNNN	Hydrochloric Acid Production and Fumed Silica (that burn hazardous waste)	9/18/01		

* These dates are listed as final on the EPA website, but the final rule has not yet been promulgated in the Federal Register.

Chapter News

2002 STUDENT SCHOLARSHIP AWARDS – THANKS!

We received a warm letter of appreciation from one of last year's scholarship winners that we wanted to share with the membership. Reprinted below (with permission) is the letter from Rhoda deJonge.

I would like to thank you again for the generous scholarship I received of you this past fall. I was able to excel in my studies because of your gift. The money was used to pay tuition for my fall semester. I had an easier time to concentrating on my studies, because I did not have to worry as much about school payments. I was also able to work less, and therefore had more time to put into all my classes.

I studied plant taxonomy, urban planning, and cultural geography this past semester, as well as an independent research project to complete my major in biology. It was one of the best semesters I have had at Calvin! I was able to do very well in all my classes and finished with a 3.57 semester GPA. Thanks for your contributions to my college career!

I have now graduated and will be working for the Land Conservancy of West Michigan. I have much to thank you for. I was able to accomplish much in this past year with ease, because of your generous gift. Thank you for providing such an important opportunity!

Sincerely,

Rhoda deJonge
Grand Rapids, Michigan

CONGRATULATIONS TO THIS YEAR'S SCHOLARSHIP RECIPIENTS

Your chapter of the AWMA is pleased to announce the winners of the five \$1,000 scholarships awarded this year to students studying at a West Michigan college or university for a career in a pollution control, hazardous waste management or other environmental area. Our scholarship program includes the following colleges and universities: Albion College, Aquinas College, Calvin College, Cornerstone University, Ferris State University, Grand Valley State University, Hillsdale College, Hope College, Kalamazoo College, Michigan State University, Michigan Technological University, Northern Michigan University, and

Western Michigan University. The winners of the five scholarships were announced at our March 2003 Spring Conference. Our heartfelt thanks and appreciation goes out to Jody Mastroeni of Cirrus Environmental for her hard work in soliciting and reviewing the many worthy scholarship candidates. Brief profiles of the scholarship winners follow:

Marla Fisher
Western Michigan University
Ph.D. student-Biological Sciences

My research interests are in how living organisms function and adapt to their environment. For my Ph.D. project, I am investigating the effects of polychlorinated biphenyls, a class of environmental toxins, in the common carp. For these studies I am using carp that I raised in the laboratory under controlled conditions, as well as wild carp caught from the Kalamazoo River. I chose to work on this project since it offered the opportunity to learn and then apply new molecular techniques to solving environmental issues. Additionally, I wanted to do a research project in which I could study animals in the aquatic environment. After graduation, I intend to continue to do biological research concerning contaminant induced health effects in aquatic ecosystems.

Todd Frazee
Senior - Grand Valley State University
Bachelors of Science, Manufacturing Engineering
Masters of Science, Manufacturing Operations

At first I was looking at going into architecture for my interests in detailed drawing, but then learned that manufacturing engineers get to physically work on projects as well as use CAD as a tool. In the manufacturing field no two days or problems are the same. It is always a constant challenge to solve a new problem. I like this because it makes me think rather than just memorize. It allows me to use creativity. In the future, I hope to continue my work as a manufacturing engineer and hopefully work my way into upper management at a company. I feel that getting as much hands on experience now, will better serve me someday for making well educated executive decisions.

Carlos A Sanlley Pagan
Country: Dominican Republic

Michigan State University
Masters student in Environmental Engineering

Coming from a Tropical Paradise, I know the importance of the environment around me, how our actions have changed the habitat we live in and more importantly how it will continue to deteriorate unless something is done. The environmental field in the Dominican Republic is still in the research and development stage, which enables a large amount of opportunities for young professionals in the field. When my studies are concluded I will try to incorporate the knowledge I have gained here, trying to establish the organization and thought process used to determine regulations in the US, but within the standards of my country. I may be an Ideologist but I will put my efforts into making a little difference.

Stephanie Swart
Western Michigan University
Masters student in Biology

I first became interested in science when I was in seventh grade. I had a science teacher who had one of those 'hands-on' classrooms where the class did several individual projects and there were live animals all over the room. One of our labs was to characterize the pond near our school. I enjoyed going out to the pond and collecting plankton and identifying pond life. The ability to work on my own and discover the different aspects of science, from plankton to forest characterization, was not only invaluable to my education, but also important in leading me to a career in science.

After graduation, I hope to obtain a Ph.D. in stream/restoration ecology.

Alexis M. Troschinetz
Michigan Technological University
Bachelors Student - Environmental Engineering

My desire to make a positive difference for the environment has persisted ever since I was a child in Girl Scouts. In High School, I learned that Michigan Tech's Environmental Engineering program ranked within the top five universities in the country, which was the main reason I chose to attend Michigan Tech for my undergraduate studies. Being a proactive engineer is what I desire to be in order to make a difference for the environment. Recently, I have been exposed to an entirely new aspect in the environmental engineering field of which I could see myself wholeheartedly working at in my future career. This fall, I joined the Environmental Sustainability Committee (ESC) on Michigan Tech's campus, and I became familiar with aspects of "sustainability" such as energy efficiency, green buildings, recycling, and alternative transportation. Enrolling in the Graduate Seminar on Sustainability this semester has presented different perspectives of sustainability such as defining the scope of sustainability, possible actions to take through policy and engineering, sustainability indicators, and a global view of the issue. I have been accepted to begin a Masters of Science degree within the Civil and Environmental Engineering Department at Michigan Tech. Also through the activities explained in the paragraph above, I am learning of possible career opportunities for my future following graduate school. I have researched various non-profit organizations, and discovered that I truly support what these groups are putting their efforts toward.



COMING EVENTS

West Michigan Board of Directors

CALENDAR OF EVENTS

May 2003

MDEQ DISTRICT SUPERVISORS BREAKFAST

This informal breakfast meeting series will provide the regulated community an opportunity to meet and discuss program issues with the District Supervisors of the Air Quality Division, Remediation and Redevelopment Division, Water Division, and Waste and Hazardous Materials Division.

Dates and Locations:

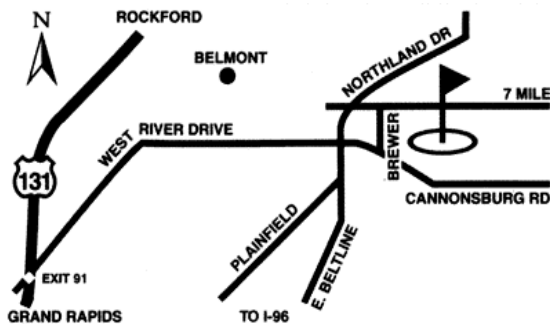
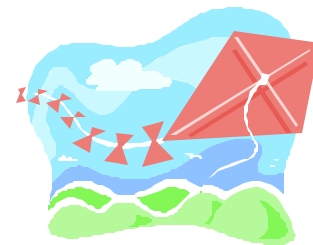
Kalamazoo Dist. - May 14, 2003 at Rykse's, Kalamazoo
Grand Rapids Dist. - May 21, 2003 at Rembrandts, Grand Rapids
Cadillac Dist. - May 27, 2003 at Hillcrest Restaurant, Cadillac

Start times are 7:30 am. The cost for each breakfast is \$5. Registration deadline is one week before the meeting date. Send registrations to the attention of Dave Preston, VRS&H, Bridgewater Place, P.O. Box 352, Grand Rapids, MI 49501-0352 or fax to 616-336-7000. Registration can also be done through PayPal at www.wmawma.org. Questions regarding registration should be directed to Pam Disch at 616-336-6000. Information Contact: Heidi Hollenbach, 616-356-0243 or E-mail at hollenbh@michigan.gov.

June 2003

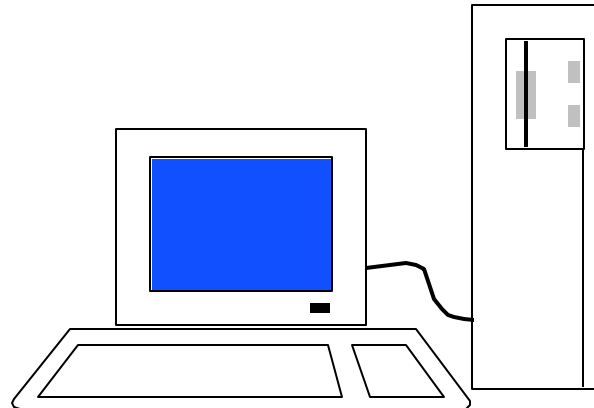
MARK YOUR CALENDARS – JUNE 13, 2003 BROWNFIELDS, NSR REFORM & GOLF

Our annual technical session and golf outing will be held on June 13, 2003 at the Boulder Creek Golf Course in Belmont. This year is a triple header event! We will hear a revealing presentation on how this golf course is a Brownfields Redevelopment success story. We will also hear a technical presentation on the implementation of the new NSR reform rules, which are now effective in Michigan. For more information contact Ron Waybrant at 616-464-3730, or by Email at rcwaybrant@ftch.com.



John Byl	Chair (2003)
Dave Preston	Vice Chair (2003)
Sue Pemberton	Past Chair (2003)
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Ken Evans	Director (2003)
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WEBSITE AT: WWW.WMAWMA.ORG



We now have a PayPal account. You can use PayPal to pay for any of our conferences/services over the internet with your credit card.

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Ken Evans

Nominating/Bylaws

John Byl
Dave Preston

Internet Coordinator

Cal Peters

Programs

Jim Enright-Chair
John Byl
Mark Horne
Dave Preston
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Su Paauwee
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Weyerhaeuser

Contributing Organizations

MSU A&WMA Student Chapter
Grand Valley State University – Water Resources Institute
Michigan Department of Environmental Quality

For an information packet on the Corporate Sponsor Program,
 please contact Ken Evans at (517) 788-0404 or email Ken at
akevans@cmsenergy.com

**BECOME AN AIR & WASTE MANAGEMENT
 ASSOCIATION WEST MICHIGAN CHAPTER
 MEMBER**

Full members of the Chapter are members of the international Air & Waste Management Association that reside in west Michigan. A&WMA members from other locations can join the Chapter for a nominal fee. Membership benefits include a newsletter, invitations to local events, and reduced fees for these events. The Chapter also has a Local Associates (LA) membership for individuals who desire affiliation with the Chapter, only. Local Associates receive the newsletter, announcements, and local event discounts but cannot vote in A&WMA elections or hold offices. A copy of the Local Associate membership form can be obtained from the WMAWMA website, or by writing to:

WEST MICHIGAN CHAPTER
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P.O. BOX 465
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