



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING DISTRICT OFFICE



C. HEIDI GREYER  
DIRECTOR

September 7, 2016

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Mr. John Wagner, PE, REM, CSP  
Director Health, Safety & Environmental Affairs  
Diamond Chrome Plating, Incorporated  
604 S. Michigan Avenue, P.O. Box 557  
Howell, Michigan 48844

SRN: A2931, Livingston County

Dear Mr. Wagner:

**VIOLATION NOTICE**

On June 20, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) met with facility staff at Diamond Chrome Plating, Incorporated (DCP) located at 604 South Michigan Avenue, Howell. The purpose of this inspection was to observe removal of existing ductwork for chrome plating tank 17, prior to replacement of the existing tank 17 with a titanium steel tank having the same footprint.

During the onsite meeting, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Chrome Plating Tank 17	First Amended Consent Decree, Paragraph 10.2	Failure to notify RRD Project Coordinator of release to outside environment which occurred on June 3, 2016.

During the meeting, it was explained that a small fire had taken place inside the plant on June 3, 2016, when the PVC plastic liner of chrome plating tank 17 had caught fire. AQD was shown the fire damage to both the PVC liner and the ductwork connecting to tank 17. It was explained that DCP had not notified the DEQ because of DCP's belief that a release had not taken place.

A Howell Area Fire Authority report, attached for reference, was provided on June 21, 2016, to Ms. Rebecca Taylor of the DEQ's Remediation & Redevelopment Division (RRD). The report indicates that fire fighting personnel observed emissions of smoke, on June 3, 2016. In particular, it is stated "SMOKE POSS ESCAPING FROM THE ROOF," and "COMMERCIAL MANUFACTURING FACILITY – LIGHT SMOKE FROM STACK..." This appears to indicate the release of particulate emissions from the plant.

The following definition of "release" is from the DEQ website on Spill-Release Reporting:

The term "release" means spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing. "Chemical" includes substances considered to be toxic or hazardous as well as substances as seemingly harmless as salad oil.

Paragraph 10.2 of the First Amended Consent Decree states:

"10.2 If during Defendant's performance of response activities conducted pursuant to this Decree, an act or the occurrence of an event causes a release or threat of release of a hazardous substance at or from the Facility, or causes exacerbation of existing contamination at the Facility, and the release, threat of release, or exacerbation poses or threatens to pose an imminent and substantial endangerment to public health, safety, or welfare or the environment, Defendant shall immediately undertake all appropriate actions to prevent, abate or minimize such release, threat of release, exacerbation or endangerment and shall immediately notify the MDEQ's RRD Project Coordinator. In the event of his or her unavailability, Defendant shall notify the PEAS Hotline at (800) 292-4706. In such an event, any actions taken by Defendant shall be in accordance with all applicable health and safety laws and regulations and with the provisions of the HASP as set forth in Paragraph 6.4."

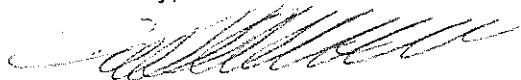
Not notifying the RRD Project Coordinator promptly of the release which evidently took place on June 3, 2016, constitutes a violation of the FACD, Paragraph 10.2.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by September 28, 2016. 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.

If DCP 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.

If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the telephone number listed below.

Sincerely,



Daniel McGeen  
Environmental Quality Analyst  
Air Quality Division  
517-284-6638

DAM:TG

Attachment

cc/via e-mail: Ms. Lynn Fiedler, DEQ  
Ms. Teresa Seidel, DEQ  
Ms. Heidi Hollenbach, DEQ  
Mr. Thomas Hess, DEQ  
Mr. Robert Wagner, DEQ  
Ms. Angela Brown, DEQ  
Mr. Richard Kuhl, DAG  
Mr. Malcolm Mead-O'Brien, DEQ  
Ms. Rebecca Taylor, DEQ  
Mr. Bryan Grochowski, DEQ  
Ms. Carla Davidson, DEQ  
Mr. Brad Myott, DEQ