



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

November 28, 2022

Joseph Dellamorte  
BASF Corporation - Chemical Plants  
1609 Biddle Avenue  
Wyandotte, Michigan 48192

SRN: B4359, Wayne County

Dear Joseph Dellamorte:

**VIOLATION NOTICE**

On September 20, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), received BASF Corporation-Chemical Plants' Renewable Operating Permit (ROP) semi-annual deviation report for the reporting period of January 1, 2022 through June 30, 2022. The facility is located at 1609 Biddle Avenue in Wyandotte, Michigan. Staff reviewed the semi-annual deviation report to determine BASF Corporation-Chemical Plants' compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, of the Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); the Michigan Air Pollution Control Rules (Rules); and the conditions of the facility's ROP number MI-ROP-B4359-2003b.

From the ROP semi-annual deviation report, staff identified the following:

Process Description	Rule/Permit Condition Violated	Comments
Polyols Plant – EUPOLTKFARM – This emission unit includes the toluene diisocyanate (TDI) storage tank TK-536 and TDI loading/unloading.	MI-ROP-B4359-2003b; Section 2; Table C-2.3 EUPOLTKFARM; Special Condition (SC) II.B.1.1  Rule 702(a)	Emissions of TDI exceeded the emission limit of 0.0031 pounds per hour in up to 109 unloading instances from January 1, 2017 through May 1, 2022.
	MI-ROP-B4359-2003b; Section 2; Table C-2.3 EUPOLTKFARM; SC II.B.1.2  Rule 702(a)	Emissions of TDI exceeded the emission limit of 0.18 pounds per year within each calendar year from 2017 through 2022.

	MI-ROP-B4359-2003b; Section 2; Table C-2.3 EUPOLTKFARM; SC IV.1-3	Deviations regarding the release of TDI from tank TK-536 were not reported within the semiannual or annual reporting periods in which they occurred.
	MI-ROP-B4359-2003b; Section 2; General Conditions (GC) 19, 20, 21.b, and 23	
Polyols Plant – EUPOLCONV – This emission unit includes fabric filter F-410C to control magnesol dust.	MI-ROP-B4359-2003b; Section 2; Table C-2.1 EUPOLCONV; SC III.A.3.4	From March 11, 2021 through September 15, 2021, the permittee did not keep records of the monitored pressure drop across fabric filter F-410C.
	MI-ROP-B4359-2003b; Section 2; Table C-2.1 EUPOLCONV; SC IV.1-3	Deviations regarding pressure drop recording across fabric filter F-410C were not reported within the semiannual or annual reporting periods in which they occurred.
	MI-ROP-B4359-2003b; Section 2; GC 19, 20, 21.c, and 23	

### Hourly TDI emissions from EUPOLTKFARM

In 2022, the ROP semi-annual deviation report indicates that 1.16 pounds of TDI were emitted over 42 unloading instances that totaled 376 minutes. Assuming unloading events are similar in quantity and duration results in an average of 0.028 pounds of TDI emitted during each unloading event, which averaged 9 minutes in duration. As 0.028 pounds TDI emissions exceeds the hourly emission limit of 0.0031 pounds TDI, each of the 42 unloading events represents an individual violation of the TDI emission limit at SC II.B.1.1 during the hour in which the unloading occurred.

From January 1, 2017 through December 31, 2021, the report indicates that 2.03 pounds TDI were emitted over 67 unloading instances that totaled 657 minutes. Assuming unloading events are similar in quantity and duration results in an average of 0.030 pounds of TDI emitted during each unloading event, which averaged 10 minutes in duration. As 0.030 pounds TDI emissions exceeds the hourly emission limit of 0.0031 pounds TDI, each of the 67 unloading events represents an individual violation of the TDI emission limit at SC II.B.1.1 during the hour in which the unloading occurred.

SC II.B.1.1 is established pursuant to Rule 702(a), which reads as follows:

Rule 702. A person who is responsible for any new source of volatile organic compound emissions shall not cause or allow the emission of volatile organic

compound emissions from the new source in excess of the lowest maximum allowable emission rate of the following: (a) The maximum allowable emission rate listed by the department on its own initiative or based upon the application of the best available control technology.

Because this maximum allowable emission rate was exceeded, this is a violation of Rule 702(a).

#### Annual Emissions from EUPOLTKFARM

From January 8, 2022 through May 1, 2022, the report indicates that 1.16 pounds TDI were emitted. 1.16 pounds exceeds the annual emission limit of 0.18 pounds TDI per SC II.B.1.2.

From January 1, 2017 through December 31, 2021, the report indicates that 2.03 pounds TDI were emitted. Assuming the 67 unloading instances are evenly distributed across the five calendar years results in an average of 0.406 pounds TDI emitted during each calendar year. As 0.406 pounds TDI exceeds the annual emission limit of 0.18 pounds of TDI, this represents five violations of SC II.B.1.2.

SC II.B.1.2 is established pursuant to Rule 702(a). Because this maximum allowable emission rate was exceeded, this is a violation of Rule 702(a).

#### Reporting of EUPOLTKFARM Deviations

Although TDI emissions exceedances have occurred since 2017, the 67 instances which occurred prior to 2022 were not reported until the semi-annual deviation report for the reporting period of January 1, 2022 through June 30, 2022. Semi-annual reports are certified by a responsible official that "based on information and believe formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete". It appears that inquiry related to TDI emissions was incomplete. This is a violation of EUPOLTKFARM IV.1-3 for semi-annual and annual reporting of deviations and compliance, as well as of general conditions 19, 20, 21.b, and 23 regarding reporting of the emissions deviations and reasonable inquiry. The period of violation begins with the first semiannual report received September 15, 2017 and continues through the semiannual report and annual certification received March 15, 2022.

#### Pressure drop recordkeeping across fabric filter F-410C in EUPOLCONV

From March 11, 2021 through September 15, 2021 the report indicates actual data was overwritten by a value of "5.0". This is a violation of the recordkeeping requirement specified in SC III.A.3.4 of EUPOLCONV of ROP number MI-ROP-B4359-2003b. This condition requires that the permittee shall keep records of the pressure drop across each fabric filter in a satisfactory manner.

Reporting of EUPOLCONV Recordkeeping Deviation

Fabric filter recordkeeping deviations that occurred from March 11, 2021 through September 15, 2021 were not reported until the semi-annual deviation report for the reporting period of January 1, 2022 through June 30, 2022. Semi-annual reports are certified by a responsible official that “based on information and believe formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete”. It appears that inquiry related to fabric filter recordkeeping was incomplete. This is a violation of EUPOLCONV IV.1-3 for reporting of deviations and compliance, as well as of general conditions 19, 20, 21.c, and 23 regarding deviation reporting and reasonable inquiry. The period of violation begins with the first semiannual report received September 15, 2021 and continues through the semiannual report and annual certification received March 15, 2022.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by December 19, 2022 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations 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, Detroit District, at 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If BASF Corporation-Chemical Plants 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.

Thank you for your attention to resolving the violations cited above. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Sam Liveson  
Senior Environmental Engineer  
Air Quality Division  
313-405-1357

Joseph Dellamorte  
BASF Corporation - Chemical Plants  
Page 5  
November 28, 2022

cc: Bryan Hughes, BASF  
Tom Wharton, BASF  
Jordan Thompson, BASF  
Mary Ann Dolehanty, EGLE  
Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Jenine Camilleri, EGLE  
Dr. April Wendling, EGLE  
Jeff Korniski, EGLE