



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



DAN WYANT
DIRECTOR

December 10, 2015

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Raj Minhas
President and Chief Operating Officer
Lockhart Chemical Company
4302 James P. Cole Boulevard
Flint, MI 48505

SRN: B6179, Genesee County

Dear Mr. Minhas:

SECOND VIOLATION NOTICE

On September 1, 2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) conducted an inspection at Lockhart Chemical Company located at 4302 James P. Cole Boulevard.

The purpose of this inspection was to determine your facility's compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); Title 40 Code of Federal Regulations Part 60 (40CFR60), Subparts Dc, III, and Kb; and the administrative rules and the conditions of Permits to Install (PTI) numbers 120-00, 311-98, 366-94, 714-92, 110-91, 433-89, 432-89, 432-88, 254-83, 855-80A, 855-80, and 349-77.

On October 15, 2015, the AQD sent the company a Violation Notice citing violations discovered as a result of the inspection and requested your written response by November 15, 2015. A copy of that letter is enclosed for your reference.

A response was received on November 5, 2015, that failed to address all of the concerns cited in the violation. The AQD finds that the responses provided are not sufficient due to the reasoning listed below:

Violation 1:

According to the permit application dated March 10, 1983, this process is controlled by a wet scrubber. The wet scrubber is required to be used for the process as per Special Condition 13. "Applicant shall not operate the calcium sulfonate process unless the wet scrubber is installed and operating properly". Lack of use of the scrubber constitutes a violation to this condition. During the inspection, it was stated by the company that the process had changed and no longer required the scrubber. Should this be the case, either a permit change is required or the scrubber must be functioning when the process is operating.

Company Response to Violation 1:

"The current products produced in the blend tanks do not warrant the use of this permit. By copy of this letter, Lockhart Chemical Company is requesting that this permit be cancelled."

Due to differences between the current operation and the operation described in the permit application regarding this process, this permit cannot be cancelled without further review. For example, the map Lockhart Chemical Company provided as part of the response identifies four tanks for this process identified as 401, 403, 405, and 407. The permit application received for permit issuance in 1983 identifies four agitators marked A-401 through A-404, three agitators marked A-405 through A-407, and one agitator marked A-408.

Resolution of this violation can only be resolved through one of the following methods:

1. Permit revision with updated process information to include equipment, materials used, control equipment, etc. This process could then remove the required use of the scrubber if found to be necessary for current rules and regulations.
2. Use of the scrubber during all operations per Special Condition 13.

Violation 2:

The baghouse observed was in poor condition with holes in the funnel used to collect air contaminants and holes in the apparatus (barrel) used to collect the contaminants. The holes allow collected contaminants to disperse into the ambient air and thus constitutes a violation of Special Condition 12. "Applicant shall not operate the mixer unless the bag filter collector is installed and operating properly".

Company Response to Violation 2:

"We are in the process of changing the barrel and should have this complete by your required date of November 12, 2015."

This response does not address the baghouse funnel as stated in the violation; "baghouse observed was in poor condition with holes in the funnel...". Whether equipment has not been used for some time or is currently being used, it is expected that permitted pollution control equipment will be maintained in a manner to operate properly.

Resolution of this violation must include a statement on the repair of the baghouse funnel.

Please be advised that failure to respond in writing and identify actions the company will take or has taken to resolve the cited violations may result in escalated enforcement action by the AQD. Please provide the information requested by December 21, 2015.

Be further advised that issuance of this Violation Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under state or federal law as appropriate.

If you have any questions regarding the violations or the actions necessary to bring Lockhart Chemical Company into compliance, please contact me at the telephone number listed below.

Sincerely,



Nathan Hude
Environmental Quality Analyst
Air Quality Division
517-284-6779

NNH:TG

Enclosure

cc/via e-mail: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Mr. Brad Myott, DEQ