



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

March 19, 2021

Ms. Nancy McInnes  
Bix Furniture Service, Inc.  
27950 Harper Avenue  
St. Clair Shores, MI 48081-1543

SRN: N0465, Macomb County

Dear Ms. McInnes:

**VIOLATION NOTICE**

On March 17, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted a review of files, data and information pertaining to Bix Furniture Service, Inc. (Bix) located at 27950 Harper Avenue, St. Clair Shores, Michigan. The purpose of this inspection was to determine Bix'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); the Air Pollution Control Rules.

During the March 17, 2021, review of files, data and information, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Entire facility	Rules 336.1210, 2011 (Federal CAA Title V / Michigan Renewable Operation Permit [ROP])	Based upon the information submitted that Bix has emitted nearly 10 tons of Single HAP per year on actual basis and has Potential-to-Emit (PTE) of a single HAP nearly 30 tons on a yearly basis, Bix is a major source as defined in Rule 336.1211(1) and hence is subject to Rules 336.1210 Renewable Operation Permit (ROP) and 112(g) of the 1990 Clean Air Act Amendment (CAAA), case-by-case Major MACT until a synthetic minor permit is obtained. The synthetic minor permit shall contain emission limits that are legally, practicably, and federally enforceable below the major source threshold.  Since Bix has not obtained the synthetic minor permit, the company failed to obtain ROP and to submit an administratively complete application in a timely manner according to the schedule stated in Rules 336.1210 (4 and 5).
Entire facility	40 CFR, Part 63	Bix failed to comply with §112(g) case-by-case Major MACT.

Under the State of Michigan's Air Pollution Control law and the federal Clean Air Act, a Renewable Operating Permit (ROP) program has been developed and implemented in Michigan.

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This program requires major sources of air emissions to obtain a facility-wide air use permit. This permit serves as a mechanism for consolidating and clarifying all air pollution control requirements which apply to the source. Rule 210(4) of the administrative rules promulgated under Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, requires major sources to submit an application to the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) not more than 12 months after a stationary source commences operation as a major source, as defined by Rule 211(1)(a).

Failure to submit a complete application for a ROP constitutes a violation of Rule 210(1) which requires that a source not operate any emission units at a source required to obtain a ROP unless a timely and administratively complete application has been received by EGLE. Because of the failure to submit a timely and administratively complete application, this facility has failed to obtain an "application shield."

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by April 9, 2021 (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, Warren District, at 27700 Donald Court, Warren, Michigan 48092-2793 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Bix 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 and for the cooperation that was extended to me during my inspection of Bix. 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,



Iranna Konanahalli  
Senior Environmental Engineer  
Air Quality Division  
586-596-7630; konanahalli@michigan.gov

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Christopher Ethridge, EGLE  
Ms. Joyce Zhu, EGLE