



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING DISTRICT OFFICE



LIESL EICHLER CLARK  
DIRECTOR

February 5, 2019

CERTIFIED MAIL

Mr. Scott Lewis, Manager  
Bluebird Enterprises  
4008 North Van Dyke Road  
Imlay City, Michigan 48444

SRN: N3328, Lapeer County

Dear Mr. Lewis:

**VIOLATION NOTICE**

On August 23, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Bluebird Enterprises located at 4008 N. Van Dyke Road, Imlay City, Michigan. The purpose of this inspection was to determine Bluebird Enterprises' 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; and the conditions of Permit to Install (PTI) number 256-04.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Reconstructed prime booth	Rule 201	Reconstructed prime booth installed without a new permit to install (PTI).
Two reconstructed paint booths, and a touch up paint booth	Rule 201	Two reconstructed paint booths and a touch up paint booth, installed without a new PTI.
FG-COATING	General Permit to Install (PTI) No. 256-04, Special Condition (SC) FG-COATING VI. 3	Requested coating and emission calculation records were not made available to AQD, following the inspection.
FG-COATING	General PTI No. 256-04, SC FG-COATING VI. 4	Requested Safety Data Sheet records were not made available to AQD, following the inspection.
FG-COATING	General PTI No. 256-04, SC FG-COATING IX. 1. a	Portions of FG-COATING were replaced without the general PTI for coating lines No. 256-04 being updated.
FG-SOURCE	General PTI No. 256-04, SC FG-SOURCE VI. 1	Requested VOC mass emission calculation records were not made available to AQD, following the inspection.

Please be advised that in December of 2010, the AQD updated the general PTI, changing the format of the Special Conditions, Revised Conditions for operating and monitoring control equipment, and also updated the General Information and Process Information forms. A copy of updated special conditions and the forms are enclosed.

During this inspection, it was noted that Bluebird Enterprises had reconstructed and commenced operation of a prime booth, two paint booths, and a touch up paint booth in 2014, following a fire. This is a violation of Rule 201 of the administrative rules promulgated under Act 451.

Rule 201 states, in part:

“Rule 201. (1) Except as allowed in R 336.1202, R 336.1277 to R 336.1291, or R 336.2823(15) a person shall not install, construct, reconstruct, relocate, or modify any process or process equipment, including control equipment pertaining thereto, which may emit any of the following, unless a permit to install that authorizes such action is issued by the department.

(a) Any air pollutant regulated by title I of the clean air act and its associated rules, including 40 C.F.R. §51.165 and §51.166, adopted by reference in R 336.1902.

(b) Any air contaminant.

A person who plans to install, construct, reconstruct, relocate, or modify any such process or process equipment shall apply to the department for a permit to install on an application form approved by the department and shall provide the information required in R 336.1203.”

A program for compliance may include a completed PTI application for the reconstructed prime booth, the two reconstructed paint booths, and the touch up paint booth. An application form is available by request, or at the following website: [www.michigan.gov/deqair](http://www.michigan.gov/deqair) (in the shaded box on the upper right-hand side of the page).

This is also a violation of general Permit to Install (PTI) No. 256-04, updated Special Condition (SC) FG-COATING IX. 1. a. This condition states:

1. The permittee shall not replace or modify any portion of FG-COATING, including control equipment or coatings, nor install additional coating lines (or any portion of, including control equipment or coatings) unless all of the following conditions are met: **(R 336.1201)**
  - a. The permittee shall update the general permit by submitting a new Process Information form (EQP5759) to the Permit Section and District Supervisor, identifying the existing and new equipment a minimum of 10 days before the replacement, modification or installation of new equipment.

Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

In addition, please provide a facility-wide Potential to Emit (PTE) demonstration for all pollutants at the source. Information on calculating PTE can be found at <http://www.michigan.gov/deqair>. Choose the “Permits” Tab, then “Air Permitting-Potential to Emit” under the Air Permitting Assistance Heading.

During this inspection, I requested copies of facility recordkeeping, including Safety Data Sheets, coating use records, and VOC emission calculations. Following the inspection, Bluebird Enterprises had not provided the requested records. We discussed this by phone on January 9, 2019. I was advised that my business card had been lost, and so the records could not be sent to me.

On January 11, 2019, I provided my contact information by e-mail, and provided a detailed listing of the records I was requesting, as well as a copy of general PTI No. 256-04. As of this date, AQD has not received a response. Please provide the requested records as soon as possible.

Failure to provide requested records constitutes a violation of the recordkeeping requirements specified in the updated Special Conditions FG-COATING VI. 3, FG-COATING VI. 4, and FG-SOURCE VI. 1 of general PTI number 256-04. These requirements are individually discussed, below.

General PTI No. 256-04, updated Special Condition (SC) FG-COATING VI. 3 states that:

“The permittee shall keep the following information on a monthly basis for FG-COATING:

- a. Purchase orders and invoices for all coatings, reducers, and purge clean-up solvents.
- b. VOC content, in pounds per gallon of each coating, reducer, and purge/clean-up solvent used.
- c. Gallons of each coating, reducer and purge/clean-up solvent used and reclaimed.
- d. VOC mass emission calculations determining the monthly emission rate for each coating line, in tons per calendar month, using the method specified in Appendix B.
- e. VOC mass emission calculations determining the annual emission rate for each coating line, in tons per 12-month rolling time period as determined at the end of each calendar month, using the method specified in Appendix B.

The permittee shall keep all records in the format specified in Appendix B. The permittee shall keep all records and make them available to the Department upon request.”

Additionally, general PTI No. 256-04, updated SC FG-COATING VI. 4 states that:

“The permittee shall maintain a current listing from the manufacturer of the chemical composition of each coating, including the weight percent of each component. The data may consist of Material Safety Data Sheets, manufacturer’s formulation data, or both as deemed acceptable by the AQD District Supervisor. The permittee shall keep all records and make them available to the Department upon request.”

Furthermore, general PTI No. 256-04, updated SC FG-SOURCE VI. 1 states that:

“The permittee shall keep VOC mass emission calculations, on a monthly basis for FG-SOURCE determining the annual emission rate in tons per 12-month rolling time period as determined at the end of each calendar month, for all coating lines and associated purge and clean-up operation at the source. The permittee shall keep all records in the format specified in Appendix B and make them available to the Department upon request.”

Lastly, installation of a reconstructed prime booth, two reconstructed paint booths, and a touch up paint booth were done, following a fire several years ago, without providing notification to AQD

Mr. Scott Lewis  
Page 4  
February 5, 2019

pursuant to general PTI No. 256-04. This constitutes a violation of updated SC FG-COATING IX. 1. a, which states that:

“1. The permittee shall not replace or modify any portion of FG-COATING, including control equipment or coatings, nor install additional coating lines (or any portion of, including control equipment or coatings) unless all of the following conditions are met: (R 336.1201)

- a. The permittee shall update the general permit by submitting a new Process Information form (EQP5759) to the Permit Section and District Supervisor, identifying the existing and new equipment a minimum of 10 days before the replacement, modification or installation of new equipment.”

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by February 26, 2019. 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 the DEQ, AQD, Lansing District, at Constitution Hall, 525 West Allegan, First Floor South, P.O. Box 30242, Lansing, Michigan 48909 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at the DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Bluebird Enterprises 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 Bluebird Enterprises. 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,



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

Enclosures

cc: Ms. Mary Ann Dolehanty, DEQ  
Dr. Eduardo Olaguer, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Jenine Camilleri, DEQ  
Mr. Brad Myott, DEQ