

June 5, 2023

Mr. Robert Joseph and FOIA Officer
Environmental Engineer
Air Quality Division
27700 Donald Court
Warren, Michigan 48092-2793

**Re: Industrial Metal Coating, 6070 18 Mile Road
Sterling Heights, Michigan 48314**

Response to June 1, 2023 Violation Notice

Freedom of Information Act Request

Dear Mr. Joseph and FOIA Officer:

This responds to the June 1, 2023 Violation Notice which is attached for your convenience. The second portion of this communication is a FOIA Request for public records as allowed at MCL 15.231 et seq. I represent Mr. Philip Oliver and Industrial Metal Coating.

Our previous communications have outlined the current steps being initiated and taken to address the alleged odor issues. As you know, we are working on the stack issues, the fan power and other processes related to start up operations and shut down operations. Staff has also communicated with other local nearby business owners and residential home owners and have confirmed that odors are not an issue. We continue to believe that this is a single complainant and the complaints, over the last several years, are from one (1) source. As you know, this facility operated for many years without changing its operations, its processes or its customer base. The only change is the Progressive Insurance office now situated in an otherwise industrial area. It is not a coincidence that the complaints started when that office location was established.

The facility will now contact the previously disclosed expert. That expert is disclosed on the attached resume. We will let you know about the results of this process and what expert work, if any, this expert will undertake.

In your Violation Notice, you expressly allow an opportunity for us to provide appropriate factual information to explain the position taken. You indicate the odor at issue is an e-coat odor from the curing oven. Attached is a PPG Bulletin for the e-coat.

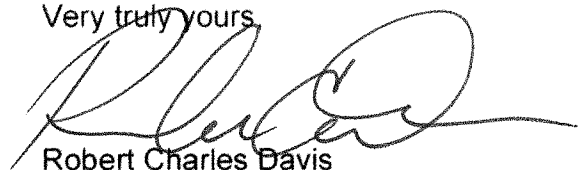
The cure is twenty (2) minutes at 350°F. This is a conservative time period. When you arrived on May 25, 2023, the system was shut down. Regardless, you indicate you detected an e-coat odor from the curing oven one (1) hour later across eight (8) lanes of Mound Road traffic. Factually, this is impossible because no additional parts entered the oven after you first arrived at the site. The facts do not support the odor conclusions you have asserted and we demand a dispute resolution process forthwith. We have all of the necessary records, including camera footage, to support our positions. Thus, we are protesting this violation accordingly as it is based on impossible and inaccurate facts.

Pursuant to Michigan's FOIA at MCL 15.231 et. seq., please provide the following public records in strict compliance with the statute:

1. A copy of any odor violation notice for any facility in Sterling Heights, Michigan for the last five (5) years (excluding Industrial Metal Coating).
2. A copy of every odor complaint made against Industrial Metal Coating for the last five (5) years, including all internal notes, communications, transmittals or email distributions.
3. A copy of any Consent Judgment for a facility in Sterling Heights, Michigan relating to odor complaints issued at any time in the last five (5) years.
4. A copy of any applicable training manual, certification, testing, education or other learning methodology that is used by EGLE staff to how to detect odors from an "E-Coat Curing Oven" as presented to Industrial Metal Coating in a Violation Notice dated June 1, 2023, on the last line of Page 1.

We look forward to working with you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert Charles Davis", written in a cursive style.

Robert Charles Davis

RCD/tmj
enclosures
cc: Industrial Metal Coating