



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

October 6, 2020

Mr. Ivor Bull
BASF Toda America, Inc.
4750 Dickman Road
Battle Creek, Michigan 49037

SRN: P0089, Calhoun County

Dear Mr. Bull:

VIOLATION NOTICE

On August 26, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of BASF Toda America, Inc. located at 4750 Dicman Road, Battle Creek, Michigan. The purpose of this inspection was to determine BASF Toda America, Inc. 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 70-10B;

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
FGLINES	Special Condition I.1	The facility exceeded their 12-month rolling Nickel Emission limit for FGLINES. Staff reviewed records between December 2017 through July 2020 and these records showed that from March 2019 through July 2020 that the 145 pounds of Nickel per year emission limit was being exceeded. The largest 12-month rolling exceedance occurred in February 2020 in which the facility calculated the Nickel emissions to be 320.84 pounds per year. Since March 2020, the Nickel emissions have started to trend back down toward the limit but are still in exceedance.

The 12-month rolling records provided demonstrate that actual emissions of Nickel from the FGLINES process equipment had monthly 12-month rolling emission sums that ranged between 147.78 pounds per year to 320.84 pounds per year between the months of March 2019 through July 2020.

Mr. Ivor Bull
BASF Toda America, Inc.
Page 2
October 6, 2020

The conditions of PTI number(s) 70-10B limit the emissions of Nickel to 145 pounds per year.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by October 27, 2020 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation 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, Kalamazoo District, at 7953 Adobe Road, Kalamazoo, Michigan 49009 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If BASF Toda America, Inc. 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 violation cited above and for the cooperation that was extended to me during my inspection of BASF Toda America, Inc. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Cody Yazzie
Environmental Engineer
Air Quality Division
269-312-2754

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