



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



DAN WYANT
DIRECTOR

August 21, 2014

Mr. Russell Fowler
Fowler's Farm-City Sales
2876 West Washington Road
Ithaca, MI 48847

SRN: P0528, Gratiot County

Dear Mr. Fowler:

VIOLATION NOTICE

On July 24, 2014, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) conducted an inspection of Fowler's Farm-City Sales anhydrous ammonia tank located at the intersection of W. Washington and S. Alger Roads, Ithaca. The purpose of this inspection was to determine Fowler's Farm-City Sales 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 administrative rules; and the conditions of Permit to Install (PTI) number 357-77.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
18,000 gallon anhydrous ammonia permanent storage tank	PTI No. 357-77 special condition 7	Storage tank location did not have a sign containing emergency contact information for the owner, primary operator, local and state police, local fire department and ambulance service.
18,000 gallon anhydrous ammonia permanent storage tank	PTI No. 357-77 special condition 8 (ANSI K61.1-1999; section 3.4)	Storage tank location did not have chemical splash goggles that were readily accessible, nor an easily accessible container containing at least 100 gallons of clean water available to flush body areas in case of anhydrous ammonia contact.
18,000 gallon anhydrous ammonia permanent storage tank	PTI No. 357-77 special condition 8 (ANSI K61.1-1999; sections 5.12 and 6.6)	The permanent storage tank was not painted with reflective paint, nor was it labeled "Anhydrous Ammonia" and "Inhalation Hazard".
18,000 gallon anhydrous ammonia permanent storage tank	PTI No. 357-77 special condition 10	The facility does not have an emergency response plan, which should be reviewed annually by the local fire department.

During the inspection, it was noted there was no emergency contact sign located at the anhydrous ammonia tank site. The absence of the sign has resulted in non-compliance with special condition 7 of PTI No. 357-77. Special condition 7 requires a sign be present containing emergency contact phone numbers for the owner, primary operator, local and state police, local fire department, and ambulance service, at the facility.

It was also noted that chemical splash goggles and a container with the capacity of at least 100 gallons of clean water were not present onsite for the purpose of ammonia transfers and emergency use. The absence of these items has resulted in non-compliance with special condition 8, which references the American National Standard Institute (ANSI) manual K61.1.

While in the past it appears that Fowler's Farm-City Sales has properly labeled the permanent storage tank and properly painted it in the past, it was noted that the tank currently does not have the proper signage or the proper paint that is required under the ANSI standard referenced in condition 8 of PTI No. 357-77. The absence of the proper labeling and painting of the permanent storage tank has resulted in non-compliance with special condition 8 and the ANSI standard. ANSI K61.1-1999 requires that the permanent storage tank be labeled with the words "ANHYDROUS AMMONIA" no smaller than 3.9 inches high and also be labeled with the words "INHALATION HAZARD" no smaller than 2 inches high on each end and on each side of the tank. The standard also requires the tank be painted with white paint or a paint with similar reflective properties to white paint.

Finally, it was noted that Fowler's Farm-City Sales was operating the permanent storage anhydrous ammonia tank without an emergency response plan, which must be approved by the local fire department on an annual basis. The absence of a plan approved by the local fire department has resulted in non-compliance with special condition 10 of PTI No. 357-77.

Enclosed is a copy of Fowler's Farm-City Sales PTI No. 357-77 and the ANSI K61.1-1999 standard referenced in this letter.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 11, 2014. 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.

If Fowler's Farm-City Sales believe 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 Fowler's Farm-City Sales anhydrous ammonia tank. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the telephone number listed below.

Sincerely,



Michelle Luplow
Environmental Quality Analyst
Air Quality Division
517-284-6636

ML:TG

Enclosures

cc: Mr. Michael F. McClellan, DEQ
cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ