



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

February 16, 2021

Mr. Artie McElwee III (President and CEO)  
Toefco Engineered Coating Systems, Inc.  
1220 North 14th Street  
Niles, MI 49120

SRN: P0708, Berrien County

Dear Mr. McElwee:

**VIOLATION NOTICE**

On January 21, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Toefco Engineered Coatings, Inc. (Toefco) located at 1919 Industrial Drive, Niles, Michigan. The purpose of this inspection was to determine Toefco'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; and the conditions of Renewable Operating Permit (ROP) number MI-ROP-P0708-2020;

During the inspection, staff observed the following:

| Process Description                | Rule/Permit Condition Violated  | Comments            |
|------------------------------------|---|---------------------|
| EU-COATINGLINE1<br>EU-COATINGLINE2 | Special Condition VII.6 of the Reporting Requirements under the Flexible Group FG-MACT MMMM of the ROP and 40 CFR 63.3910 | See Comment 1 Below |
| EU-COATINGLINE1<br>EU-COATINGLINE2 | Special Condition VII.7 of the Reporting Requirements under the Flexible Group FG-MACT MMMM of the ROP and 40 CFR 63.3920 | See Comment 2 Below |

**Comment 1: Initial Notification:** An Initial Notification has not been submitted to date. Since an Initial Notification hasn't been received, the AQD is basing the date of when the facility became subject to the MACT MMMM off the date of when the Permit to Install (PTI) was received to remove the HAP Opt-Out limits which was August 9, 2018. An Initial Notification is due within 120 days of becoming subject to the regulation which would have made the due date of approximately December 9, 2018. **Notification of Compliance Status Report:** A Notification of Compliance Status Report has not been submitted to date. This report is due with 30 days of the Initial 12-Month Compliance Period ending which would have ended approximately August 9, 2020, which would have made this report due by approximately September 9, 2020.

**Comment 2: Semi-Annual Reports:** The first Semi-Annual Compliance Report has not been submitted to date. The first semi-annual compliance report must cover the first semiannual reporting period which begins the day after the end of the initial compliance period that applies to the affected source and ends on June 30 or December 31, whichever date is the first date following the end of the initial compliance period. In this case, the reporting period would be the one ending on December 31, 2020 which would have made the 1<sup>st</sup> Semi-Annual Report due by January 31, 2021.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by March 16, 2021. 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, 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 Toefco 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 Toefco. 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,



Matt Deskins  
Environmental Quality Analyst  
Air Quality Division  
269-303-8326

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