



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING DISTRICT OFFICE



C. HEIDI GREYER  
DIRECTOR

October 9, 2018

Mr. Bill Jones  
BNM Trailer Sales, Incorporated  
7577 North Hollister Road  
Elsie, Michigan 48831

SRN: U191612206, Clinton County

Dear Mr. Jones:

**VIOLATION NOTICE**

On August 24, 2018 and September 13, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) conducted complaint investigations of BNM Trailer Sales, Incorporated (BNM) located at 7577 North Hollister Road, Elsie. The investigations were in response to renewed complaints and to determine compliance with the requirements of the federal Clean Air Act; and Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; the Air Pollution Control Rules.

During the inspections, staff observed the following:

| Process Description   | Rule/Permit Condition Violated                     | Comments  |
|-----------------------|--|---|
| Sand Blasting Process | R 336.1201 (Rule 201) - Permits to Install (PTI)   | The sand blasting process was not meeting the requirements of an exemption (i.e., emissions escaping the general in plant environment). |
| Sand Blasting Process | R 336.1370 (Rule 370) - Collected air contaminants | Piles of dust and particulate had accumulated in the plant environment and were not properly collected.                                 |

As a result of the August 24, 2018 and September 13, 2018 inspections, staff concluded that the sand blast process was not meeting the intent of the exemption because the enclosure was not adequately containing all of the emissions generated by the sand blasting operation. Furthermore, accumulated dust in the building was not being properly collected and contained in a timely and acceptable manner. These are violations of Rule 201 and Rule 370.

On September 17, 2018, the AQD sent a Violation Notice (VN) citing these violations discovered as a result of the complaint investigation. A response was received on September 19, 2018, that was incomplete and unsatisfactory, and only resulted in more questions.

The following information is needed:

1. The specific DEQ exemption rule that the sand blasting process will be operated under and a complete description of the exempt process or process equipment including the date of installation.

2. Specific details on the upgrades that are being made to the existing sand blasting process including all changes to room ventilation. The equipment details needed include:
  - a. The manufacturer's information for each dust collector and filter with the volume of air that will be processed, the rated performance including inlet and outlet particulate loading for the dust collectors, and operation and maintenance requirements.
  - b. Design plans, references and / or contractor certification that the sand blasting process meets industry standards and/or manufacturer's recommendations to upgrade the existing sand blasting process.
3. The date when all upgrades will be complete and in operation.
4. An analysis demonstrating that Rule 278 (Michigan Administrative Code R 336.1278) does not apply.
5. Submit a Malfunction Abatement Plan (MAP) per Rule 911 (Michigan Administrative Code R 336.1911) and Operator Training Plan including measures to minimize fugitive dust from the sand blasting process. (Rule language attached for reference.)
6. Submit evidence that the piles of dust and particulate that had accumulated in the plant environment were properly collected, contained, and/or disposed of, and that acceptable dust management practices have been implemented (i.e., all dust and sand blast media will be collected and sealed in closed containers before any doors in the room can be opened).

In addition, there have been additional complaints regarding paint overspray. This can result from filters not being installed in the paint room across the exhaust vent, improper installation of filters, or poor maintenance practices resulting in filter overload. Please submit a MAP per Rule 911 and Operator Training Plan for the paint operations.

You may want to consider a specialized air quality environmental consultant with specific experience in air quality regulations for assistance. Below, is a DEQ link to a directory of environmental consultants who may be able to offer assistance. Please review it and consider contacting a few of them to see which ones might best fit your needs.

[http://www.michigan.gov/deq/0,4561,7-135-3310\\_70317-47589--,00.html](http://www.michigan.gov/deq/0,4561,7-135-3310_70317-47589--,00.html)

Please be advised that failure to respond in writing and identifying actions taken to resolve the cited violations will result in escalated enforcement action by the AQD. Continued operation of a process that does not meet the requirements of a PTI exemption is considered a violation of Rule 201 will result in escalated enforcement action by the AQD and fines. Please provide the information requested by November 9, 2018.

Please submit the written response to the DEQ/AQD, Lansing District Office, 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, DEQ/AQD, Constitution Hall, 525 West Allegan, Second Floor South, P.O. Box 30260, Lansing, Michigan 48909.

Be further advised that issuance of this Violation Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under state or federal law as appropriate.

If you have any questions regarding the violation or the action necessary to bring BNM into compliance, please contact me at the telephone number listed below.

Sincerely,

A handwritten signature in black ink that reads "Julie L. Brunner". The signature is written in a cursive style with a large initial "J" and a long horizontal flourish at the end.

Julie L. Brunner, P.E.  
Senior Environmental Engineer  
Air Quality Division  
517-275-0415

JLB:TG

Attachment

cc via/email: Ms. Mary Ann Dolehanty, DEQ  
Mr. Craig Fitzner, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Jenine Camilleri, DEQ  
Mr. Brad Myott, DEQ

**ATTACHMENT****R 336.1911 Malfunction abatement plans.**

Rule 911. (1) Upon request of the department, a person responsible for the operation of a source of an air contaminant shall prepare a malfunction abatement plan to prevent, detect, and correct malfunctions or equipment failures resulting in emissions exceeding any applicable emission limitation.

(2) A malfunction abatement plan required by subrule (1) of this rule shall be in writing and shall, at a minimum, specify all of the following:

(a) A complete preventative maintenance program, including identification of the supervisory personnel responsible for overseeing the inspection, maintenance, and repair of air-cleaning devices, a description of the items or conditions that shall be inspected, the frequency of the inspections or repairs, and an identification of the major replacement parts that shall be maintained in inventory for quick replacement.

(b) An identification of the source and air-cleaning device operating variables that shall be monitored to detect a malfunction or failure, the normal operating range of these variables, and a description of the method of monitoring or surveillance procedures.

(c) A description of the corrective procedures or operational changes that shall be taken in the event of a malfunction or failure to achieve compliance with the applicable emission limits.

(3) A malfunction abatement plan required by subrule (1) of this rule shall be submitted to the department and shall be subject to review and approval by the department. If, in the opinion of the department, the plan does not adequately carry out the objectives as set forth in subrules (1) and (2) of this rule, then the department may disapprove the plan, state its reasons for disapproval, and order the preparation of an amended plan within the time period specified in the order. If, within the time period specified in the order, an amended plan is submitted which, in the opinion of the department, fails to meet the objective, then the department, on its own initiative, may amend the plan to cause it to meet the objective.

(4) Within 180 days after the department approves a malfunction abatement plan, a person responsible for the preparation of a malfunction abatement plan shall implement the malfunction abatement plan required by subrule (1) of this rule.

History: 1980 AACS; 2002 AACS; 2015 AACS.