



GRETCHEN WHITMER
GOVERNOR

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



AARON B. KEATLEY
ACTING DIRECTOR

July 10, 2023

Allen Pixley
Mark Weaver
Modineer Company
2102 South 11th St.
Niles, MI 49120

SRN: N0931, Berrien County

Dear Allen Pixley:

VIOLATION NOTICE

On June 7, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Modineer located at 2200 East Empire Avenue, Benton Harbor, Michigan. The purpose of this inspection was to determine Modineer 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 171-12. During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
One batch-type natural gas-fired burnoff oven w/ secondary chamber or afterburner (EU-BURNOFF)	PTI #171-12, Special Condition (SC) IV.4: Shall not operate EU-BURNOFF unless a device to monitor temperature is installed	No device to monitor temperature was installed.
EU-BURNOFF	PTI #171-12, SC VI.3: Shall keep temperature data records for burnoff oven secondary chamber or afterburner (5 years) and make available upon request.	No temperature data records are being kept.
EU-BURNOFF	PTI#171-12, SC VI.4: Provide records of date, duration, and description of any malfunction of secondary chamber or afterburner and any maintenanc performed or testing results for EU-BURNOFF.	Records from the past 2 years were requested and were not received.

EU-BURNOFF	PTI#171-12, SC VI.5: Maintain current list from manufacturer of chemical composition of each material (cured coating, oil, or grease) processed in EU-BURNOFF, including weight percent of each component. Data may be MSDS, manufacturer's formulation data, or both.	No MSDS for the resin and paste for e-coating line were provided as requested. No MSDS for parts washer cleaning solvent was provided as requested.
EU-BURNOFF	PTI#171-12, SC VI.6: Maintain current information from manufacturer that EU-BURNOFF is equipped with secondary chamber or afterburner, an automatic temperature control system for primary and secondary chambers or afterburner, and an interlock system that shuts down primary chamber burner when secondary chamber of afterburner is not operating properly.	No records or information was provided as requested.

- RECORDKEEPING/REPORTING.

During this inspection, Modineer was unable to produce requested records.

This is a violation of the recordkeeping specified in Special Condition VI.4 through VI.6 of PTI number 171-12. These conditions require the permittee to maintain records of maintenance performed on EU-BURNOFF, a current list of the components of each material processed in EU-BURNOFF, and information that EU-BURNOFF is equipped with an automatic temperature control system and safety shutoff system if EU-BURNOFF is not operating properly. Special Condition IV.4 requires EU-BURNOFF to be equipped with a device to continuously monitor the temperature in the burnoff oven secondary chamber or afterburner and VI.1 requires the permittee to continuously monitor and record temperature data. PTI 171-12 requires that records be maintained on file and made available upon request of the Department.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by July 31, 2023 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the

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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 Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Modineer 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 Modineer. 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,



Rachel Benaway
Environmental Quality Analyst
Air Quality Division
269-370-2170

cc: Keith Belew, Modineer
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Monica Brothers, EGLE