



# MORBARK

8507 S. WINN RD | PO BOX 1000  
WINN, MICHIGAN 48896 | (989) 866-2381 | F: (989) 866-2280 | www.morbark.com

January 23, 2019

Mr. Ben Witkopp  
Environmental Engineer  
Air Quality Division  
MDEQ Saginaw Bay District Office  
401 Ketchum Street, Suite B  
Bay City, MI 48708

Re: Response to Notice of Violation Letter  
Morbark, LLC., Winn, Michigan (SRN No. N1701)

Dear Mr. Witkopp:

Morbark, LLC. (Morbark) has prepared this letter in response to the Michigan Department of Environmental Quality (MDEQ) Air Quality Division (AQD) Violation Notice (VN) dated January 2, 2019. The VN indicates that Morbark violated the following Special Conditions (SC) related to permit to install (PTI) 138-15, 511-89D and Rule 336.1201:

Process Description	Rule/Permit Condition Violated	Comments
FGBOILERS	PTI 138-15 VI.1	No gas usage records available
	PTI 138-15 VII.1	No notification
	PTI 138-15 IX.1	No evidence of anything being done for 40 CFR Part 63, Subpart JJJJJ[J]
FGCOATINGS (Three coating lines)	PTI 511-89D IV.2	No test caps available
	PTI 511-89D V.1	No VOC content testing
	PTI 511-89D VI.1	No records
	PTI 511-89D VI.2(a), (b), (c), & (d)	No data, records or calculations
	PTI 511-89D VIII.2 & 3	Stacks for booths 2 and 3 had caps on them which did not permit unobstructed discharge
FGFACILITY	PTI 511-89D V.1	Hazardous Air Pollutant (HAP) content not determined.
	PTI 511-89D VI.1	No records
	PTI 511-89D VI.2	No data, records, or calculations
	PTI 511-89D VI.3	No data, records, or calculations
	PTI 511-89D VI.4	No data, records or calculations for HAPs
Metal pretreatment wash stations using an acid solution	Rule 201 (R 336.1201)	Exemption 285 2 I (iii) for pretreatment is not applicable due to acid solution. Facility has not examined other exemptions and has not applied for permit.



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As requested, this letter provides information regarding the referenced citations, including:

- the date the alleged violations occurred
- an explanation of the causes and duration of the alleged violation
- whether the alleged violation is ongoing
- a summary of the actions that have been taken, and/or are proposed to be taken, to correct the alleged violation
- the date(s) by which these actions will take place
- what steps are being taken to prevent a recurrence

## **FGBOILERS**

### ***PTI 138-15 VI.1 – Gas Records***

Monthly natural gas usage information was available in thousand cubic feet (MCF) on August 29, 2018, at the time of MDEQ AQD inspection; however, the facility had not converted the units to cubic feet or million cubic feet (MMCF) or calculated the 12-month rolling time usage. It should be noted that there is no 12-month fuel usage limit for the boilers, so it is unclear where the requirement to track 12-month rolling fuel usage originates. The underlying applicable requirement (UAR) for fuel usage records should be 40 CFR Part 60 Subpart Dc paragraph 60.48c(g)(2) or (3); however, the UARs identified in PTI 138-15 VI.1 are not applicable to fuel usage records. Fuel usage records required by the NSPS do not specify that the usage records must be kept in specific units, and only monthly records are required. Although the UARs identified in PTI 138-15 VI.1 are incorrect, we understand that Morbark accepted the permit conditions and the recordkeeping was updated to include a 12-month rolling time period basis and the units were updated to reported in MMCF. The updated recordkeeping for PTI No. 138-15 is attached to this letter for review. Morbark's recordkeeping will include the usage in MMCF and the 12-month rolling total format going forward.

### ***PTI 138-15 VII.1 – Notification***

Pursuant to 40 CFR Part 60 Subpart Dc paragraph 60.48(c)(a) and 40 CFR Part 60 Subpart A paragraph 60.7(a)(3), Morbark was required to submit a notification of the actual date of startup of EU-BOILER1 and EU-BOILER2 to the MDEQ AQD within 15 days of actual startup. It should be noted that pursuant 40 CFR Part 60 Subpart A paragraph 60.7(a)(1), the notification of the date of construction does not apply to the boilers as they are "mass-produced facilities which are purchased in completed form." Attached to this letter is the MDEQ AQD EQP 3551 form to submit the applicable notification of startup to the MDEQ AQD District Supervisor. The completed form will also be mailed to the U.S. Environmental Protection Agency.

### ***PTI 138-15 IX.1 – Subpart JJJJJ***

Morbark is not subject to 40 CFR Part 63 Subpart JJJJJ [6J] – National Emission Standards for Hazardous Air Pollutant (NESHAP) for Industrial, Commercial, and Institutional Boiler; therefore, a violation has not occurred since there are not applicable requirements. In accordance with PTI 138-15 II.1, EU-BOILER1 and EU-BOILER2 can only operate using natural gas fuel. Pursuant to §63.11195(e), gas-fired boilers are not subject to 40 CFR Part 63 Subpart JJJJJ [6J]. "Gas-fired boilers include any boiler that burns gaseous fuels not combined with any solid fuels and burns liquid fuel only during periods of gas curtailment, gas supply interruption, startups, or for periodic testing, maintenance, or operator training on liquid fuel.





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Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a combined total of 48 hours during any calendar year. Gaseous fuels includes, but is not limited to, natural gas, process gas, landfill gas, coal derived gas, refinery gas, hydrogen and biogas.”

It is unclear, why the MDEQ AQD Permits Section identified 40 CFR Part 63 Subpart 6J in PTI 138-15’s Other Requirements, especially when the permit limits the boilers to natural gas only. However, as the condition reads “permittee shall comply with all applicable requirements” and no applicable requirements exist for the boilers, Morbark is in compliance with PTI 138-15 IX.1.

## **FGCOATINGS**

### ***PTI 511-89D IV.2 – Test Caps***

Test caps were not available for pressure testing of the HVLP applicators at the time of inspection on August 29, 2018. Test caps have been ordered and will be kept in the Morbark Facilities Manager’s office or designee going forward. There is no requirement to use the test caps, only to have them available; however, Morbark will place one person in charge of the test caps, so if test caps get used new ones can be ordered.

### ***PTI 511-89D V.1 – VOC Content Testing***

Morbark has not sent a letter to the MDEQ AQD District Supervisor requesting the use of manufacturer’s formulation data to determine volatile organic compound (VOC) content. Morbark will send a letter to the MDEQ AQD District Supervisor requesting the use of manufacturer’s formulation data to determine VOC content of the paints used in EUPAINTBOOTH1, EUPAINTBOOTH2, and EUPAINTBOOTH3. The letter will be drafted and sent by Friday, February 22, 2019 (30 days from the date of this letter). Morbark will keep a copy of the written approval to use manufacturer’s formulation data, or a program to test coatings will be implemented.

### ***PTI 511-89D VI.1, VI.3(a), (b), (c) & (d) – Material Usage and Emissions Records***

The recordkeeping was not in a format acceptable to the MDEQ AQD District Supervisor. The usages and VOC emissions from EUPAINTBOOTH1, EUPAINTBOOTH2, and EUPAINTBOOTH3 have been reported in the Michigan Air Emission Reporting System (MAERS). The MAERS reports for the 2015, 2016, and 2017 were reviewed and the VOC emission were below the 10.0 tons per year allowed by the PTI No. 511-89D. Morbark has contracted with Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) to update the facility air record keeping to better demonstrate compliance with PTI No. 511-89D. The recordkeeping will be completed prior to March 25, 2019 (60 days from the date of this letter). The updated recordkeeping will be provided to the MDEQ for review.

### ***PTI 511-89D VIII.2 and 3 – Stacks***

EUPAINTBOOTH2 and EUPAINTBOOTH3 stacks were installed with rain caps, which does not allow the stack to discharge unobstructed vertically upwards as required by PTI No. 511-89D. Morbark will be installing no-loss stacks on EUPAINTBOOTH2 and EUPAINTBOOTH3. The work is currently scheduled to be completed on February 16, 2019. Once installation of the



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no-loss stacks is completed this item will be resolved. Morbark will notify the MDEQ once the caps have been replaced.

## **FGFACILITY**

### ***PTI 511-89D V.1 – HAP Content***

As allowed by PTI 511-89D, the hazardous air pollutant (HAP) content of materials is being determined by the manufacturer's formulation data provide on safety data sheets. Morbark is in the process of collecting the most current safety data sheet and environmental data sheets from paint manufacturers for all the coatings and solvents used on EUPAINTBOOTH1, EUPAINTBOOTH2, and EUPAINTBOOTH3. The HAP information will be kept as a part of the facilities air recordkeeping documents going forward. The recordkeeping updates will be completed prior to March 25, 2019 (60 days from the date of this letter). Morbark will continue to update the recordkeeping when new coatings or solvents are used.

### ***PTI 511-89D VI.1 – VI.4 – Material Usages and HAP and VOC Emission Calculations***

Recordkeeping requirements were not being keep in an acceptable format for the MDEQ AQD District Supervisor. Morbark has contracted FTCH to update the facility air recordkeeping to better demonstrate compliance with PTI No. 511-89D. The recordkeeping updates will be completed prior to March 25, 2019 (60 days from the date of this letter). Moving forward Morbark will use the Excel workbook to demonstrate compliance with PTI No. 511-89D.

## **Metal Pretreatment Wash Stations Using an Acid Solution**

A Michigan Part 201 violation did not occur as the Meyer BJ-55 material used in the two wash stations at a concentration of 1.2% by volume does not contain an acid. The wash stations are exempt under Rule 285(2)(l)(iii) exemption. The Meyer BJ-55 SDS is attached to this letter. In addition, the wash stations can also meet the exemption found at Rule 285(2)(r)(i), which does not limit the types of materials used in the process. The wash stations are used as surface treatment for metal parts prior to painting. The wash stations do not have stacks and vent into the general in-plant environment.

Morbark is committed to working with the MDEQ to resolve these violations. If you have any questions or require additional information, please contact me at 989.866.2381.

Sincerely,

Morbark, LLC.

Mike Craven  
Facilities Manager



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**Attachments**

**By email and UPS/FedEx – confirmation of delivery required**

**cc/att:** Ms. Jenine Camilleri – MDEQ (UPS/FedEx only)

Mr. Timothy J. Swainston – FTCH (email only)

Mr. Garrett Bates – Morbark (email only)

Mr. Kevin Cotter – Morbark (email only)

Mr. Tim Wentworth – Morbark (email only)