



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



C. HEIDI GREYER
DIRECTOR

February 17, 2017

Mr. James Belloli, EHS Specialist
Orchid Orthopedic Solutions
1489 Cedar Street
Holt, Michigan 48842

SRN: N5391, Ingham County

Dear Mr. Belloli:

VIOLATION NOTICE

On November 7, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) conducted an inspection of Orchid Orthopedic Solutions, Plants A and B (Orchid Orthopedic Solutions) located at 1489 Cedar Street, Holt. The purpose of this inspection was to determine Orchid Orthopedic Solutions' 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) numbers 428-94 and 361-08.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
"Electropolish" orthophosphoric acid process and wet scrubber	Rule 290(d)	Company was not keeping emission calculation records of controlled emissions for the most recent 2 year period.

Michigan Air Pollution Control Rule 201 requires that a permit to install be obtained prior to installation, construction, operation, reconstruction, relocation or alteration of any process or process equipment which may be a source of an air contaminant. However, in past years, Orchid Orthopedic Solutions made use of the Rule 290(a)(ii)(A) exemption for the "Electropolish" orthophosphoric acid process and associated scrubber, located in Building A.

Rule 290 was revised on December 20, 2016. However, the version of Rule 290 which was in effect from 1997 until December 20, 2016, is the version that applies to the "Electropolish" orthophosphoric acid process and scrubber, being concurrent with their installation. Rule 290(a)(ii)(A) states:

"The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the emission units listed in (a) if the conditions listed in (b), (c), and (d) are met. Notwithstanding the definition in R 336.1121(a), for the purpose of this rule, uncontrolled emissions are the emissions from an emission unit based on actual operation, not taking into account any emission control equipment. Controlled emissions are the emissions from an emission unit based on actual operation, taking into account the control equipment.

(a) An emission unit which meets any of the following criteria:

(i) Any emission unit that emits only noncarcinogenic volatile organic compounds or noncarcinogenic materials which are listed in R 336.1122(f) as not contributing appreciably to the formation of ozone, if the uncontrolled or controlled emissions of air contaminants are not more than 1,000 or 500 pounds per month, respectively.

(ii) Any emission unit that the total uncontrolled or controlled emissions of air contaminants are not more than 1,000 or 500 pounds per month, respectively, and all of the following criteria are met:

(A) For noncarcinogenic air contaminants, excluding noncarcinogenic volatile organic compounds and noncarcinogenic materials which are listed in R 336.1122(f) as not contributing appreciably to the formation of ozone, with initial threshold screening levels greater than or equal to 2.0 micrograms per cubic meter, the uncontrolled or controlled emissions shall not exceed 1,000 or 500 pounds per month, respectively."

Rule 290(b) through (d) also apply, and they require:

"(b) A description of the emission unit is maintained throughout the life of the unit.

(c) Records of material use and calculations identifying the quality, nature, and quantity of the air contaminant emissions are maintained in sufficient detail to demonstrate that the emissions meet the emission limits outlined in this rule.

(d) The records are maintained on file for the most recent 2-year period and are made available to the air quality division upon request."

During this inspection, Orchid Orthopedic Solutions was unable to produce monthly emission records for the "Electropolish" orthophosphoric acid process and scrubber for the most recent 2-year period. This constitutes a violation of Rule 290(d).

Also present at Plant A are metal grinding, buffing, and blast cleaning stations connected to two wet dust collectors, controlled by a Model 120h-ww wet dust collector ("Big Blue") and Model 50 mcd-ww wet dust collector ("Little Blue"). During the November 7, 2016 inspection, it was noted that per-shift liquid level checks were not being conducted at that time, nor were records of the per-shift checks being maintained. Before the end of the day, however, Orchid Orthopedic Solutions provided AQD with documentation demonstrating that per-shift checks had been initiated, and records were now being kept.

Please initiate actions necessary to correct the above cited violation of Rule 290(d) and submit a written response to this Violation Notice by March 10, 2017. The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation and the dates by which these actions will take place; and what steps are being taken to prevent a recurrence.

If Orchid Orthopedic Solutions 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 violation cited above and for the cooperation that was extended to me during my inspection of Orchid Orthopedic Solutions. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the telephone number listed below.

Sincerely,



Daniel A. McGeen
Environmental Quality Analyst
Air Quality Division
517-284-6638

DAM:TG

cc/via e-mail: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Christopher Ethridge, DEQ
Mr. Thomas Hess, DEQ
Mr. Brad Myott, DEQ