



STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY



GRETCHEN WHITMER
GOVERNOR

LANSING

LIESL EICHLER CLARK
DIRECTOR

October 9, 2020

CERTIFIED MAIL

Mr. Brian Borowski
Premier Finishes, LLC
28060 Groesbeck Highway
Roseville, Michigan 48066-2345

SRN: N7896; Macomb County

Dear Mr. Borowski:

SUBJECT: Consent Order AOD No. 2019-05, Stipulated Fines and Late Payment

On April 25, 2019, the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AOD) and Premier Finishes, LLC (Company) entered into a Stipulation for Entry of Final Order by Consent (Consent Order) AOD No. 2019-05.

In a Violation Notice (VN) dated August 25, 2020, the AOD cited the Company for violating the requirements of Permit to Install (PTI) Number 36-18, Special Conditions IV.1 and VII.1 and paragraphs 9.A.1 and 9.C.1 of the Consent Order for failing to submit records on a monthly basis, failing to maintain the dampers on the exhaust system, and failing to have the exhaust filters installed while operating FGBOOTHs.

Paragraph 9.A.1 of the Consent Order states the following:

“On and after the effective date of this Consent Order, the Company shall comply with PTI Number 36-18 and any subsequent permit revision. PTI Number 36-18 is attached hereto as Exhibit A of this Consent Order, incorporated by reference into this Consent Order and shall be enforceable in accordance with the provisions of this Consent Order.”

Paragraph 9.C.1 of the Consent Order states the following:

“The Company shall submit reports, which shall consist of the records of the total gallons (with water) of each coating material and cleaning solvent used in FGBOOTHs on a calendar month basis. The reports shall be submitted to the AOD Southeast Michigan District Supervisor on a monthly basis for the first 12 months after permit issuance, quarterly reports for the following 12 months after permit issuance and semi-annual reports (report once every 6 months) thereafter. After a minimum of one (1) year of semi-annual reporting, the company may petition the AOD Southeast Michigan District Supervisor to reduce the frequency of reporting and/or request to terminate reporting. If at any time the

reporting/recordkeeping is found to be unsatisfactory or is not submitted within the required timeframe, the AQD may require the Company to submit monthly reports for a minimum of 12 months and then resume semi-annual reporting if the monthly reports are deemed satisfactory. All reports shall be submitted to the AQD Southeast Michigan District Supervisor by the 20th of the following month for the previous time period (monthly, quarterly or semi-annually) the data was collected.”

Furthermore, Paragraph 14 of the Consent Order reads, in part:

“On and after the effective date of this Consent Order, if the Company fails to comply with paragraph 9.A.1 of this Consent Order, the Company is subject to a stipulated fine of up to \$500 per violation per day. On and after the effective date of this Consent Order, if the Company fails to comply with paragraph 9.C.1 or any other provision of this Consent Order, the Company is subject to stipulated fines of up to \$500 per violation per day.”

The AQD has determined the amount of the stipulated fines to be \$1,000. After reviewing the VN and the Company’s response to the violations, the ADQ used enforcement discretion in determining the amount of the stipulated fines.

Additionally, per paragraph 13 of the Consent Order, the Company agreed to pay the settlement amount of \$5,000 to be made in three payments. The first payment of \$1,000 was due on May 25, 2019, which was not received until September 19, 2019. The second payment of \$2,000 was due on January 31, 2020 and has not been received. This has left a past due amount of \$2,000.

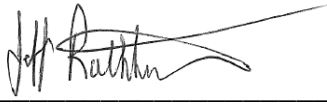
Per paragraph 16 of the Consent Order, the Company agreed to pay an interest penalty each time it fails to make a timely payment. At this time, EGLE is holding the interest payment in abeyance so long as the second payment is promptly made no later than November 9, 2020.

The Company is hereby requested to submit the second penalty payment of \$2,000 and the stipulated fines of \$1,000 by November 9, 2020. In accordance with the provisions of paragraphs 13 and 14 of the Consent Order, please submit two separate checks to assure you are properly credited for your settlement payment of \$2,000 (AQD40209 on front of the check) and stipulated fine payment of \$1,000 (AQD40209-S on front of the check). Please make both checks payable to the “State of Michigan” and delivered to the Michigan Department of Environment, Great Lakes, and Energy, Accounting Services Division, Cashier’s Office, P.O. Box 30657, Lansing, Michigan 48909-8157.

Premier Finishes, LLC
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Please contact me at 517-275-2620 or RathbunJ1@Michigan.gov if you have any questions.

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By: 

Jeff Rathbun
Air Quality Division, Enforcement Unit

cc: Mr. Neil Gordon, Department of Attorney General
Ms. Joyce Zhu, EGLE
Ms. Jenine Camilleri, EGLE