



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

December 14, 2023

UPS NEXT DAY DELIVERY

Frederick Worthen III
Worthen Coated Fabrics
1125 41st Street Southeast
Grand Rapids, Michigan 49508

SRN: P0634; Kent County

Dear Frederick Worthen III:

SUBJECT: Consent Order AQD No. 2022-15, Stipulated Fines

On October 25, 2022, the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) and Worthen Coated Fabrics (Company) entered into a Stipulation for Entry of Final Order by Consent AQD No. 2022-15 (Consent Order), to resolve violations of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; the Company's Renewable Operating Permit (ROP), and the federal New Source Performance Standard for Polymeric Coating of Supporting Substrates Facilities, Title 40 of the Code of Federal Regulations (CFR), Part 60, Subpart VVV (NSPS VVV).

In a Violation Notice (VN) dated October 17, 2023, the AQD cited the Company for violating the conditions of their ROP, Rule 910 and the terms and conditions of the Consent Order. Specifically, the AQD alleges that the Company failed to properly maintain the pressure differential between the permanent total enclosure and the adjacent area on a continuous basis on at least sixty-one (61) occasions (approximately sixty-eight (68) days in total). Additionally, the AQD alleges that the Company failed to maintain ninety-five percent (95%) control efficiency during four hundred fifty-nine (459) coating batches between January 1, 2023, and August 31, 2023, (approximately one hundred thirty-one (131) days).

Paragraph 9.A.1 of the Consent Order, in part, puts forth the following conditions:

"On and after the Effective Date of this Consent Order, the Company shall comply with Rule 910."

Paragraph 9.A.2 of the Consent Order, in part, puts forth the following conditions:

"On and after the Effective Date of this Consent Order, the Company shall comply with NSPS VVV as it applies to EU-FabricCoating and the Coating Mix

Preparation Equipment. Specifically, the Company shall complete the following in accordance with the requirements of NSPS VVV:

ii. Install, maintain, and operate the carbon bed absorption unit.”

Furthermore, paragraph 13 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., 9.B., or 9.C. of this Consent Order, the Company is subject to a stipulated fine of up to \$500.00, per violation, per day, for one (1) through seven (7) days of violation; up to \$1,000.00, per violation, per day, for eight (8) through fourteen (14) days of violation; and up to \$2,000.00, per violation, per day, for day fifteen (15) and each day of violation thereafter.”

After reviewing the VN and the Company’s response to the violations, the AQD has determined the amount of stipulated fine to be \$36,300.00. Please be aware that given the length of time these violations have occurred, the AQD is using discretion and is not assessing the maximum stipulated fines for these violations under the terms of the Consent Order.

The Company is hereby requested to submit the stipulated fines of \$36,300.00 in accordance with the provisions of paragraph 13 of the AQD Consent Order, by January 13, 2024. To ensure proper credit, all payments shall include the Agreement Identification No. AQD40290-S on the face of the check. Stipulated fines submitted under this Consent Order shall be made by check, payable to the “State of Michigan” and mailed to the Michigan Department of Environment, Great Lakes, and Energy, Accounting Services Division, Cashier’s Office, P.O. Box 30657, Lansing, Michigan 48909-8157.

Sincerely,



Jeff Rathbun
Enforcement Unit
Air Quality Division
RathbunJ1@Michigan.gov
517-275-2620

cc: Margaret Bettenhausen, Department of Attorney General
Heidi Hollenbach, EGLE
Jenine Camilleri, EGLE