



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GREYER  
DIRECTOR

August 2, 2018

Karen Mann, EH&S Responsible Care Leader  
Dow Silicones Corporation  
1790 Building, Washington Street  
Midland, Michigan 48674

SRN: A4043, Midland County

Dear Ms. Mann:

**VIOLATION NOTICE**

On July 11, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Dow Silicones Corporation located at 3901 South Saginaw Road, Midland, Michigan. The purpose of this inspection was to determine Dow Silicones Corporation's 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; the conditions of Permit to Install (PTI) number 169-12; and the conditions of Renewable Operating Permit (ROP) number MI-ROP-A4043-2008.

This process is also subject to the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) for Organic Liquids Distribution (Non-Gasoline). These standards are found in 40 CFR Part 63, Subpart EEEE.

During the inspection and associated records review, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EU340-03	MI-ROP-A4043-2008, EU340-03, SC VI.1	Purchasing switched supplier of methanol without obtaining certification required by 40 CFR 63.2390
EU505-01	PTI No. 169-12, EU505-01, SC IX.4	Switch in xylene and toluene supplier without environmental review resulting in vapor balance requirements of 40 CFR Part 63, Subpart EEEE not being met

During this inspection, the Title V Annual Compliance Deviation Report was reviewed. Per the deviation report, on October 26, 2017 and November 22, 2017, while performing their Reasonable Inquiry assessment, the facility determined that suppliers used for process materials had been changed. The change occurred without obtaining required supplier certifications or without normal environmental impact review. This is a violation of the recordkeeping requirements specified in Special Condition IX.4 of Permit to Install (PTI) number 169-12 and Renewal Operating Permit (ROP) number MI-ROP-A4043-2008, EU340-03, Special Condition VI.1.

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The conditions of PTI No. 169-12 and ROP No. MI-ROP-A4043-2008 require current certification in accordance with U.S. DOT pressure test requirements of Section 49 CFR.

The March 2018 Title V Annual Deviation Report included the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations were ongoing; and a summary of the actions that had been taken and were proposed to be taken to correct the violations; the dates by which these actions were to take place; and what steps were being taken to prevent a reoccurrence of part of the violations (obtaining supplier certifications). The deviation report did not; however, discuss if staff involved in purchasing the material selection for the process have taken actions to prevent a reoccurrence of failure to conduct environmental reviews when switching or selecting suppliers or new materials.

Please initiate any necessary actions to correct the cited violations and submit a written response to this Violation Notice by August 23, 2018 (which coincides with 21 calendar days from the date of this letter).

Please submit the written response to the DEQ, AQD, Saginaw Bay District, at 401 Ketchum Street, Bay City, Michigan 48708 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at the DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Dow Silicones Corporation 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 Dow Silicones. 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,



Kathy L. Brewer  
Environmental Quality Analyst  
Air Quality Division  
989-439-2100  
brewerk@michigan.gov

cc/via e-mail: Ms. Mary Ann Dolehanty, DEQ  
Mr. Craig Fitzner, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Jenine Camilleri, DEQ  
Mr. Chris Hare, DEQ