



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
GRAND RAPIDS DISTRICT OFFICE



KEITH CREAGH  
DIRECTOR

April 15, 2016

Mr. Herb Bevelhymmer  
NuPak Solutions, Inc.  
2850 Lincoln Street  
Muskegon, Michigan 49441

SRN: B4216, Muskegon County

Dear Mr. Bevelhymmer:

**VIOLATION NOTICE**

On March 17, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of NuPak Solutions, Inc. located at 2850 Lincoln Street, Muksegon, Michigan. The purpose of this inspection was to determine NuPak Solutions, Inc.'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 administrative rules; and the conditions of Permit to Install (PTI) number 333-92.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Monitoring/Recordkeeping	PTI No. 333-92, Special Condition 19	Failure to maintain polystyrene bead processing records
Pallet Curing Oven	Rule 201	Failure to maintain proper records for Rule 290 exemption utilization

During the inspection, NuPak Solutions, Inc. was unable to produce emission records to demonstrate compliance with recordkeeping requirements contained in PTI No. 333-92.

Additionally, during this inspection, it was noted that NuPak Solutions, Inc. had installed and commenced operation of unpermitted equipment at this facility. The AQD staff advised NuPak Solutions, Inc. on March 31, 2016, that this is a violation of Act 451, Rule 201.

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A program for compliance may include a completed PTI application for the pallet curing oven process equipment. An application form is available by request, or at the following website:

[http://www.deq.state.mi.us/aps/nsr\\_information.shtml](http://www.deq.state.mi.us/aps/nsr_information.shtml)

Be advised that Rule 201 requires that a permit 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.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by May 5, 2016 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

If NuPak Solutions, Inc. 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 NuPak Solutions, Inc.. 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,



Kaitlyn DeVries  
Environmental Quality Analyst  
Air Quality Division  
616-356-0003

cc: Ms. Prudy Blue, DEQ  
cc/via e-mail: Ms. Lynn Fiedler, DEQ  
Ms. Teresa Seidel, DEQ  
Ms. Heidi Hollenbach, DEQ  
Mr. Thomas Hess, DEQ