



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

November 20, 2020

UPS NEXT DAY DELIVERY & E-MAIL

**ENFORCEMENT NOTICE**

In the matter of:

BASF Toda America, Inc.  
4750 Dickman Road  
Battle Creek, Michigan 49037

SRN: P0089; Calhoun County

ATTENTION: Mr. Ivor Bull

This letter is to advise you of the commencement of escalated enforcement action against BASF Toda America. This letter follows the October 6, 2020 Violation Notice issued by the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) which detailed violations of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994, PA 451, as amended (NREPA), MCL 324.5501 *et seq.*; the administrative rules promulgated thereunder, specifically Rule 225 of the Michigan Air Pollution Control Rules, Mich Admin Code, R 336.1225, and Permit to Install 70-10B.

The AQD is providing the Company with an opportunity to formally resolve these violations through the entry of a legally enforceable agreement that will include a compliance program and payment of an appropriate monetary penalty pursuant to Section 5528 of Part 55 of NREPA, MCL 324.5528.

Be advised that failure to respond to this Enforcement Notice in a timely manner and adequately resolve or address the cited violations may result in further enforcement proceedings, including but not limited to, referral of the matter to the Michigan Department of Attorney General (MDAG) for commencement of civil litigation. This Enforcement Notice does not preclude or limit EGLE's ability to initiate any other enforcement action under federal or state law as appropriate.

**ENFORCEMENT NOTICE**

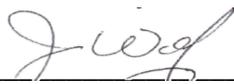
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Please contact me at 517-275-0943, or by email at WolfJ2@Michigan.gov, no later than Wednesday, December 2, 2020, to schedule a meeting to discuss the resolution of this matter.

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

By:   
Jason Wolf  
Air Quality Division, Enforcement Unit

Date: November 19, 2020

cc: Ms. Sarah Marshall, U.S. EPA, Region 5  
Mr. Neil Gordon, MDAG  
Mr. Rex Lane, EGLE  
Ms. Jenine Camilleri, EGLE