



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



C. HEIDI GREYER
DIRECTOR

September 12, 2017

Mr. Don Rosati, President and Owner
Rosati Specialties, LLC
24200 Capital Boulevard
Clinton Township, MI 48036-1335

SRN: P0808, Macomb (50) County

Dear Mr. Rosati:

VIOLATION NOTICE

On August 10, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Rosati Specialties (Rosati) located at 24200 Capital Boulevard (Building 1, 2006) and 24300 Capital Boulevard (Building 2, 2011), Clinton Township, Michigan. The purpose of this inspection was to determine Rosati'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; and the conditions of Permit to Install (PTI) number 38-17 dated May 19, 2017.

Rosati has wood coating operations in two buildings: 24200 Capital Boulevard (Building 1, installed process equipment in 2006) and 24300 Capital Boulevard (Building 2, installed process equipment in 2011). Besides, PTI No. 38-17 covers the process equipment in both buildings as single regulated source.

During the August 10, 2017, inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Wood finishing process equipment; principally wood coating. Emission units are described in PTI No. 38-17.	Rule 336.1201 (Permit-to-Install)	Rosati Specialties (Rosati) installed, in two adjacent buildings (24200 Capital Boulevard [Building 1, installed process equipment in 2006] and 24300 Capital Boulevard [Building 2, installed process equipment in 2011]) wood finishing process equipment prior to obtaining a permit. ^θ
	Rules 336.1210	Rosati failed to obtain Renewable Operating Permit (ROP). ^β
	Major Source NESHAP / MACT 4Q	Rosati failed to comply with NESHAP/MACT 4Q. ^{Δ δμ}

	40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products	
	PTI No. 38-17	Rosati failed to comply with the entire permit; e.g., recordkeeping, calculations, coating VOC & HAP analysis, etc.
<p>θ AQQ issued PTI No. 38-17 dated May 19, 2017. Prior to this date, Rosati installed and operated the emission units prior to obtaining the permit.</p> <p>β Upon obtaining PTI No. 38-17, on May 19, 2017, Potential-to-Emit (PTE) has been limited to 54 tons of volatile organic compounds (VOC) per year, 8.9 tons of Single HAP per year and 22.4 tons of Aggregate HAPs per year. Prior to this date, Rosati was a major source for Criteria Pollutants or listed pollutants in Rule 211 (PTE ≥ 100 tpy VOC) and for Hazardous Air Pollutants (PTE ≥ 10 tons of Single HAP or PTE ≥ 25 tons of Aggregate HAPs per year). Major sources (Rule 211(1)(a)) are required to obtain Renewable Operating Permit (ROP).</p> <p>Δ As stated above, prior to May 19, 2017, Rosati was a major source for Hazardous Air Pollutants (PTE ≥ 10 tons of Single HAP or PTE ≥ 25 tons of Aggregate HAPs per year). As a major source, is subject to Major Source NESHAP/MACT 4Q, 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products; Final Rule effective date: May 28, 2003.</p> <p>ð Once-in-Always-in [OIAI] Policy: According to May 16, 1995, EPA memorandum entitled "Potential to Emit for MACT Standards – Guidance on Timing Issues" from John Seitz, Director of OAQPS, Major Sources of HAPs on the "first compliance date" are required to comply permanently with the applicable MACT standard to ensure that maximum achievable reductions in toxic emissions are achieved and maintained. In other words, in order not to be a major source, the company should have obtained federally enforceable permit limiting its potential-to-emit (PTE) below major source threshold for HAPs before the first compliance date (timeliness). In addition, Clean Air Act (CAA), as amended, requires all major sources to obtain a Title V (RO) permit.</p> <p>μ First compliance date for Major Source NESHAP/MACT 4Q: May 28, 2003, if initial startup is before May 28, 2003, for new source (commenced construction or reconstruction on or after December 09, 1991). For an existing (commenced construction or reconstruction before December 09, 1991) major source, three years after May 28, 2003.</p>		

The coating processes are also subject to the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) for Surface Coating of Wood Building Products (fka Flatwood Paneling) . These standards are found in 40 CFR Part 63, Subpart QQQQ (4Q).

During this inspection, it was noted that Rosati had installed and commenced operation of unpermitted equipment at this facility. The AQD staff advised Rosati on August 10, 2017, that this is a violation of Act 451, Rule 201. However, based upon MDEQ's Environmental Assistance Program, Rosati obtained PTI No. 38-17 dated May 19, 2017.

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.

In addition, please provide a facility-wide Potential to Emit (PTE) demonstration for all pollutants at the source (at this time only VOC, each Single HAP and Aggregate HAPs). Information on calculating PTE can be found at the following website:

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http://www.michigan.gov/deq/0,4561,7-135-3310_70487-112202--,00.html

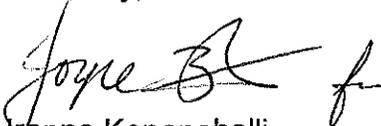
Furthermore, please provide facility-wide actual emissions of VOC, each Single HAP and Aggregate HAPs for CY2016, CY2015, CY2014, CY2013, and CY2012.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 3, 2017 (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 recurrence.

If Rosati 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 Rosati. 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,



Iranna Konanahalli
Senior Environmental Engineer
Air Quality Division
586-753-3741 or konanahalli@michigan.gov

cc/via e-mail: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Joyce Zhu, DEQ