



BISSELL Homecare, Inc.
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2345 Walker Avenue NW, Grand Rapids, MI 49544-2516, USA
Telephone: (616) 453-4451

March 8, 2017

VIA Electronic Mail and Federal Express Delivery

Mr. Adam Shaffer
MDEQ – Air Quality Division
State Office Building
350 Ottawa Avenue, NW, Unit 10
Grand Rapids, Michigan 49503
ShafferA1@michigan.gov

Re: **February 15, 2017 Violation Notice**



Dear Mr. Shaffer:

This letter is the response of BISSELL Homecare, Inc. ("BISSELL") to the Violation Notice ("VN") dated February 15, 2017 from your office concerning permit exemptions for the following units (the "Units"):

- Two 2,000 gallon primary mix tanks
- Two 3,500 gallon secondary tanks
- Two 40 gallon bottle filling operations

Specifically, the VN states that BISSELL was "unable to produce emission records to demonstrate the following units meet a permit exemption". BISSELL strongly disagrees with the stated violation and respectfully requests that the VN be withdrawn.

By way of background, you sent to Erica Bouc, BISSELL's Associate Manager – Facilities, Safety and Security, an email on November 21, 2016 stating the following:

Per our discussion earlier today, consider this a formal written request by the DEQ for records pursuant to Rule 278a to determine the applicability of potential exemptions for the BISSELL facility located in Walker, MI. The records requested via the requirements of Rule 278a shall be submitted within 30 days of this request or December 21, 2016. If you have any questions or concerns, do not hesitate to ask. Thank you.

Ms. Bouc asked for some clarification in a response email, and you replied in part as follows:

"The request is for all PTE calculations for the entire facility so everything please."

The second email from you also raised a question regarding boilers at the site that are unrelated to the VN.

When you asked for “everything please”, we never believed you wanted every document related to BISSELL’s facility operations. We had no interest in overwhelming you with information, and we don’t believe you had any interest in receiving data that had not been the subject of your inquiry. Accordingly, BISSELL provided a response that included PTE calculations and a description of the exemptions applicable to all the emission units, including those Units identified in the VN. The response stated that BISSELL was relying on Rule 290 for the Units.

At no time did you or the DEQ request that we provide backup records under Rule 290. Had we known you wanted those in addition to the PTE calculations and the other information we supplied, we would have provided that information to you. We do not understand why the agency would issue a Violation Notice for our failure to supply records without first making a clear request for those records. We have sought to be cooperative and transparent in every step of your inquiry, and we hope and trust that the issuance of the VN is based on a simple misunderstanding – a misunderstanding that now can be rectified, as BISSELL definitely has the records that support a Rule 290 exemption, which are enclosed with this letter.

Accordingly, in response to the VN, we are providing the following information:

1. The Rule 290 calculations are attached to this letter as Exhibit A. Note that BISSELL used the emission factor that we believe is based on the one ingredient that contained a VOC (methanol). BISSELL no longer uses the ingredient that contains methanol, so this is truly a worse-case calculation, and it demonstrates that the actual emissions are approximately 4.5 pounds per month, well below any Rule 290 threshold.
2. Since BISSELL no longer uses the ingredient that contained methanol, we evaluated all of our products (and the ingredients used for the products in the Units), and there are no VOCs in any of our products formulated at this facility. In other words, there are no emissions from the Units that are identified in the VN. For this reason, the Units are not subject to Rule 201 in the first place, and are not emission units. Exhibit B includes a list of all the products produced using the Units, and a search of BISSELL’s publicly-available SDS database confirms that in fact there are no VOC emissions from those Units. (Please see the “Percent VOC” data located on page 2 of each SDS under “9. Physical and Chemical Properties”, found through <https://www.bissell.com/support/helpful-resources/sds-search>.)
3. Finally, even if the Units somehow were deemed emission units and covered by Rule 201, the exemptions in Rule 284 (i) and (l) would exempt the Units in addition to Rule 290. As you know, Rule 284 does not require the same records that are required under Rule 290.

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For these reasons, BISSELL respectfully requests that the VN be withdrawn. Please let us know if you have any further questions – we look forward to hearing from you.

Sincerely,



William J. Brennan

Vice President – General Counsel

WJB/evb

c: Ms. Erica Bouc, BISSELL Homecare, Inc.
Mr. John V. Byl, Attorney, Warner Norcross & Judd, LLP
Ms. Heidi Hollenbach, DEQ
Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ