



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

May 24, 2018

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

American Seating Company
401 American Seating Center NW
Grand Rapids, Michigan 49504

SRN: B1713; Kent County

ATTENTION: Mr. Kyle GeBraad, Environmental Health and Safety Specialist

This letter is to advise you of the commencement of escalated enforcement action against American Seating Company (Company) with State Registration Number (SRN) B1713. This letter follows the June 5, 2017 Violation Notice, March 30, 2018 Second Violation Notice and May 2, 2018 Violation Notice issued by the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD) which detailed violations of Permit to Install (PTI) No. 202-01 including improper determination of volatile organic compound (VOC) and hazardous air pollutant (HAP) content of coatings/adhesives/solvents used in the processes; incomplete records which are needed to verify compliance with the emission limits established in PTI No. 202-01, which are federally enforceable as a practical matter; and non-submittal of the Michigan Air Emissions Reporting System forms required pursuant to Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), and by Air Pollution Control Rule 2 (Michigan Administrative Code R 336.202).

The alleged violations against American Seating Company are federally enforceable and are considered a High Priority Violation (HPV) by the United States Environmental Protection Agency (EPA). The HPV designation means that the EPA places a priority on enforcing the regulations governing this violation and on formally resolving alleged violations of this type. The AQD is required to report all HPVs to the EPA, pursuant to the state's grant commitments with the EPA and the state's delegated enforcement authority of the federal Clean Air Act.

The AQD is hereby providing the Company with an opportunity to demonstrate compliance, present factual information in writing that should be considered regarding the violations and meet to discuss options for satisfactorily resolving the violations.

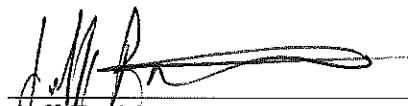
Mr. Kyle GeBraad
Page 2
May 24, 2018

The proposed formal written resolution will include, among other things, a compliance schedule within an administrative consent order and an appropriate monetary penalty. In an effort to seek resolution of the cited federal and state air quality violations, the cited parties will be given an opportunity to discuss a resolution of this matter with the AQD pursuant to Section 5515 of Act 451, which will satisfy both state and federal requirements.

Please contact me at 517-284-6797, or by email at rathbun1@michigan.gov, no later than June 5, 2018, to schedule a meeting to discuss the resolution of this matter.

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. Be further advised that this Enforcement Notice does not preclude or limit the MDEQ's ability to initiate any other enforcement action under federal or state law as appropriate.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

By: 

Jeff Rathbun
Air Quality Division, Enforcement Unit

Date: 5-24-18

cc: Ms. Sarah Marshall, EPA, Region 5
Mr. Neil Gordon, MDAG
Ms. Heidi Hollenbach, MDEQ
Mr. Malcolm Mead-O'Brien, MDEQ