



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
WARREN DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

January 22, 2020

Ms. Jennifer McAllister
NGK Spark Plugs (U.S.A.), Inc.
46929 Magellan Drive
Wixom, Michigan 48393

SRN: P1099, Oakland County

Dear Ms. McAllister:

VIOLATION NOTICE

On December 13, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of NGK Spark Plugs (U.S.A.), Inc. (NGK) located at 46929 Magellan Drive, Wixom, Michigan. The purpose of the inspection was to determine the facility'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); and the Air Pollution Control Rules.

During the review process, AQD staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Three engine test cells and two chassis test cells	AQD Administrative Rule R 336.1201 (Rule 201)	The test cells were installed and operated without first obtaining a permit to install.
	AQD Administrative Rule R 336.1210	The facility is non-compliant of the ROP requirements.
	Part 19 of the AQD Administrative Rules	The facility is located in Ozone non-attainment area and the potential to emit for NOx emissions exceed the major source threshold.

During this inspection, it was noted that NGK had installed and commenced operation of the three engine dynamometer test cells and two chassis dynamometer test cells at this facility without first obtaining a permit to install (PTI). The AQD staff advised NGK on December 13, 2019, that this is a violation of Rule 201 of the administrative rules promulgated under Act 451. Rule 201 states in part;

"A person shall not install, construct, reconstruct, relocate, alter, or modify any process or process equipment, including control equipment pertaining thereto, which may emit an air contaminant, unless a Permit to Install which authorizes such action is issued by the department."

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A program for compliance may include a completed PTI application for the unpermitted process equipment. An application form is available by request, or at the following website: www.michigan.gov/air (in the shaded box on the upper right-hand side of the page).

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.

Because the company has not obtained a permit to restrict the potential of the NOx emissions from the three test engines to below major source threshold and the company is located in a non-attainment area for Ozone standard, the test engines operation are subject to Part 19 – New Source Review For Major Sources Impacting Non-Attainment Areas.

Under state Air Pollution Law and the federal Clean Air Act, a Renewable Operating Permit (ROP) Program has been developed and implemented in Michigan. This program requires major sources of air emissions to obtain a facility-wide air use permit. This permit serves as a mechanism for consolidating and clarifying all air pollution control requirements which apply to the source. Rule 210(5) of Part 55, Air Pollution control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451) requires major sources to submit an application to the Department of Environment, Great Lakes and Energy (EGLE), Air Quality Division (AQD) not more than 12 months after a stationary source commences operation as a major source, as defined by Rule 211(1)(a) of Act 451.

An application for an ROP was to have been submitted to the AQD no more than 12 months after the commencement of operation for the three engine dynamometer test cells and two chassis dynamometer test cells located at 46929 Magellan Drive, Wixom, Michigan. To date, the AQD has not received this application. Please be advised that Rule 210(1) of Act 451 states in part; "a source shall not operate a process or process equipment which requires a ROP, unless a timely and administratively complete application has been received by the department". Enclosed for your reference is the AQD Operational memorandum No. 4. This document delineates the legally enforceable mechanisms available for sources to use to limit their potential to emit and thus become exempt from the definition of major source.

As a result of the failure to submit a timely and administratively complete application, in accordance with the requirements of Rule 210(5), this facility has failed to obtain an "application shield". Operation of the process or process equipment without the benefit of the application shield constitutes a violation of Rule 210(1) that may result in enforcement action under the provisions of Act 451. Notwithstanding the response to this letter, be advised that the AQD may initiate appropriate enforcement action to address this violation and the action for your unpermitted installation and operation of this process equipment. Furthermore, continued operation of unpermitted equipment is not authorized.

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Be aware that state and federal air pollution regulations prohibit NGK from obtaining any new permits for major offset sources located in Michigan until the cited violations are corrected or until the company has entered a legally enforceable order or judgment specifying an acceptable program and schedule for compliance.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by February 12, 2020 (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 cited violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the written response to EGLE, AQD, Warren District, at 27700 Donald Court, Warren, Michigan 48092-2793 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If the company 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. 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,



Mr. Remilando Pinga
Senior Environmental Engineer
Air Quality Division
586-753-3723

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Joyce Zhu, EGLE