



135 S. LaSalle Street,  
Suite 3500  
Chicago IL 60603  
T +1 312 541 4200

Sent via Email & FedEx this Date

October 22, 2019

Amanda Chapel  
Environmental Quality Analyst  
Michigan Department of Environment, Great Lakes, and Energy  
Air Quality Division  
Kalamazoo District  
7953 Adobe Road  
Kalamazoo, MI 49009-5026



RE: Brembo North America, Inc. – Homer Disc Plant  
AQD Source ID (SRN): N6226  
Response to Violation Notice dated October 1, 2019

Dear Ms. Chapel:

Brembo North America, Inc. (Brembo or the company) is submitting this letter in response to your Violation Notices dated October 1, 2019 (the “VN”). The purpose of this letter is to summarize key events associated with the issuance of the VN; and to provide EGLE with additional factual information related to the observations, statements and allegations therein.

A summary of key events related to the issuance of the VN is presented in tabular format below:

Day	Date	Event
Monday	09/09/19	Amanda Chapel and other EGLE representatives conducted an inspection of the Homer Disc Plant.
Thursday	09/12/19	Amanda Chapel requested from Mark Kenworthy via email certain compliance records related to FG-Zinc, and information related to EU-Magni-06 and EU-Black. No deadline for responding was included in the request.
Tuesday	09/17/19	Amanda Chapel specified in an email to Mark Kenworthy that the information requested on 09/12/19 was due by 09/23/19.
Friday	09/20/19	Mark Kenworthy responded to Amanda Chapel via email, providing compliance records for FG-Zinc and information related to EU-Magni-06 and EU-Black.
Friday	09/27/19	At 1:32 PM, Amanda Chapel left a voice mail message for Mark Kenworthy expressing the need for clarification regarding certain information previously provided to her by Brembo.
		At 2:02 PM, Amanda Chapel requested from Mark Kenworthy via email clarification regarding certain information previously provided to her.
		At 2:32 PM, in a second email, Amanda Chapel requested from Mark Kenworthy requesting additional compliance records for FG-Zinc.

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Day	Date	Event
Monday	09/30/19	Chris Blume requested in an email to Amanda Chapel a telephone conference on October 1 <sup>st</sup> to discuss the clarification and additional records she requested of Mark Kenworthy on the preceding Friday afternoon. Due to an existing commitment for October 1 <sup>st</sup> , Amanda confirmed her availability for October 2 <sup>nd</sup> .
Tuesday	10/02/19	At 9:02 AM, EGLE Kalamazoo District office emailed Mark Kenworthy the VN.  At 12:30 PM, Brembo hosted a telephone conference with EGLE to discuss the clarification and additional records requested by Amanda Chapel on the preceding Friday (09/27/19).  During the conference, Amanda Chapel indicated that the VN was issued in an expeditious manner due to the close of the department's fiscal year.

Brembo is pleased to have this opportunity to provide additional factual information related to the observations, statements and allegations EGLE has expressed in the VN.

#### **EU-Magni-06**

Since the Magni-06 line commenced operation in early April 2019 it has operated consistent with the PTI exemption provisions of Rule 287, as demonstrated in Attachment A.

Brembo wishes to point out that Rule 278a(2) provides that information demonstrating the applicability of PTI exemptions "shall be provided within 30 days of a written request from the department".

#### **Rust Inhibitor**

The rust inhibitor application activity has been conducted consistently with the PTI exemption provisions of Rule 290, as demonstrated in Attachment B.

Brembo wishes to point out that Rule 278a(2) provides that information demonstrating the applicability of PTI exemptions "shall be provided within 30 days of a written request from the department".

#### **FG-BMG**

Usage of Zinc paint on FG-BMG lines has been limited to minor quantities being used on EU-Magni-05. As demonstrated in Attachment C, the monthly usage of all paints on EU-Magni-05 meet the 3.5 lb/gal (minus water & exempt) as applied limit consistent with Rule 621(6)(a).

#### **FG-Zinc**

The 11.0 lb VOC per gallon of applied coating solids was developed for and included in PTI No. 145-12B to address Rule 702 requirements for the use of Zinc paint, a "non-conforming coating". Magni paint is a "conforming coating" and complies with Rule 702 by meeting the 3.5 lb/gal (minus water) as applied VOC content limit in Rule 621(1)(c).

Additional GACS limit compliance information requested by Amanda Chapel on the afternoon of September 27<sup>th</sup> is presented in Attachment D.

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Brembo respectfully requests EGLE to allow itself adequate time to take into full consideration the additional factual information provided herein; and to reassess the observations, statements and allegations EGLE expressed in the VN. It is our position that this additional information clearly and objectively demonstrates that none of the concerns identified during the inspection constitute a violation.

Brembo looks forward to working cooperatively with EGLE to appropriately address its concerns. Please contact me directly at 312.262.4371 or [Christopher.Blume@rpsgroup.com](mailto:Christopher.Blume@rpsgroup.com) if you have any questions regarding these matters.

Sincerely,

**RPS Group, Inc.**



**Christopher Blume, P.E.**  
*Vice President*

cc: Jenine Camilleri  
Enforcement Unit Supervisor  
EGLE, AQD  
P.O. Box 30260  
Constitution Hall  
525 West Allegan Street  
Lansing, MI 48909-7760

Mark Kenworthy (via email)  
Jessy Conard (via email)