



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 28 2015

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Rob Streight  
Permit Manager  
Ford Motor Company  
Environmental Quality Office  
Fairlane Plaza North, Suite 800  
290 Town Center Drive  
Dearborn, Michigan 48126

Dear Mr. Streight:

The U.S. Environmental Protection Agency is issuing the enclosed Notice and Finding of Violation (NOV/FOV) to Ford Motor Company's facility at 3001 Miller Road, Dearborn, Michigan (you or the facility) under Sections 113(a)(1) and 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. §§ 7413(a)(1) and 7413(a)(3). EPA has determined that you are in violation of the facility's Title V Permit. Violations of a Title V Permit constitute violations of Section 502(a) of the Act, 42 U.S.C. § 7761a(a), and the Michigan State Implementation Plan (SIP).

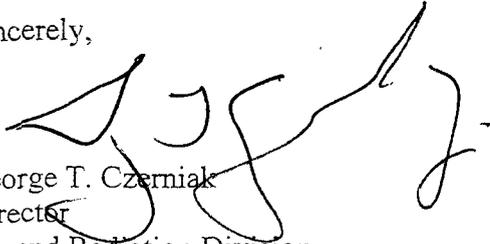
Section 113 of the Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV/FOV prior to the conference date.

Please plan for the facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contacts in this matter are Virginia Galinsky, Environmental Engineer, and Thomas Martin, Associate Regional Counsel. You may call them at (312) 353-2089 and (312) 886-4273, respectively, if you wish to request a conference. You should make the request for a conference within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Czerniak', written over the typed name and title.

George T. Czerniak  
Director  
Air and Radiation Division

Enclosure

cc: Tom Hess, Michigan Department of Environmental Quality  
Wilhemina McLemore, Michigan Department of Environmental Quality

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>IN THE MATTER OF:</b>	)	
	)	
<b>Ford Motor Company</b>	)	<b>NOTICE AND FINDING OF</b>
<b>Dearborn, Michigan</b>	)	<b>VIOLATION</b>
	)	
	)	<b>EPA-5-16-MI-02</b>
Proceedings Pursuant to	)	
the Clean Air Act,	)	
42 U.S.C. §§ 7401 <i>et seq.</i>	)	

**NOTICE AND FINDING OF VIOLATION**

Ford Motor Company (Ford) owns and operates an automotive assembly facility at 3001 Miller Road, in Dearborn, Michigan (the facility). Operations at the facility include Paint Shop guidecoat and topcoat booths and their associated air pollution control devices.

The U.S. Environmental Protection Agency is sending this Notice and Finding of Violation (NOV/FOV or Notice) to notify the facility that we have found violations of the facility's Title V Permit and the Michigan State Implementation Plan (Michigan SIP).

**Title V**

1. Title V of the Act, 42 U.S.C. §§ 7661-7661f, establishes an operating permit program for major sources of air pollution.
2. In accordance with Section 502(b) of the Act, 42 U.S.C. § 7661a(b), EPA promulgated regulations establishing the minimum elements of a Title V permit program to be administered by any air pollution control agency. See 57 Fed. Reg. 32250 (July 21, 1992). Those regulations are codified at 40 C.F.R. Part 70.
3. Section 502(d) of the Act, 42 U.S.C. § 7661a(d), provides that each state must submit to EPA a permit program meeting the requirements of Title V.
4. EPA granted interim approval of the Michigan Title V permit program on January 10, 1997. See 62 Fed. Reg. 1387 (effective on February 10, 1997). EPA granted source category limited interim approval of Michigan's Title V program on June 18, 1997. See 62 Fed. Reg. 34010 (effective on July 19, 1997). EPA fully approved the Michigan Title V program on December 4, 2001. See 66 Fed. Reg. 62949 (effective on November 30, 2001). The Michigan regulations governing the Title V permit program, also known as the "Renewable Operating Permit Program," are codified at R 336.1210 - R 336.1219.

5. Section 502(a) of the Act, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the Act, no source subject to Title V may operate except in compliance with a Title V permit.

6. 40 C.F.R. § 70.6(b)(1) provides that all terms and conditions in a Title V permit are enforceable by EPA.

7. 40 C.F.R. § 52.23 provides that failure to comply with any permit limitation or permit condition contained within an operating permit issued under an EPA approved program that is incorporated into the SIP shall render the person so failing to comply in violation of a requirement of an applicable implementation plan.

### **Title V Permit Background**

8. The Michigan Department of Environmental Quality (Michigan DEQ) issued a Title V Permit to the facility, number MI-ROP-A8648-2010, effective June 10, 2010 (2010 Title V Permit).

9. Permit MI-ROP-A8648-2010 includes a Flexible Group that covers emission units at the entire facility, identified as "FG-Facility."

10. Condition I.1 for FG-Facility provides that Ford must limit the volatile organic compound (VOC) emissions from its facility to 897 tons per year (tpy) on a 12-month rolling time period.

11. Condition I.2 for FG-Facility provides that Ford must limit the VOC emissions from its facility to 4.8 pounds (lbs) of VOC per job.

12. Condition VI.1.c for FG-Facility identifies requirements for calculating the VOC emissions to determine compliance with the emission limitations in Condition I.1. and I.2., Condition VI.1.c provides that Ford must keep:

"Calculations must show the capture and control efficiency of each control device used... Prior to the initial testing, for each controlled section, the design combined capture and control efficiency may be used. Thereafter, values no greater than the most recently tested values may be used."

13. Condition VI.1.d for FG-Facility identifies requirements for calculating the VOC emissions to determine compliance with the emission limitation in Condition I.2. Condition VI.1.d provides that Ford must keep "[c]alculations showing the VOC emission rate (lb/job) on a 12-month rolling basis, as determined at the end of each calendar month for the equipment covered by FG-FACILITY."

### **Factual Background**

14. Ford's Dearborn facility is located in Wayne County. The facility includes several emission units, including topcoat booths and associated air pollution control equipment.

15. The topcoat booths consists of three sections: the basecoat section, the manual clearcoat section, and the automated clearcoat section. The automated clearcoat section is vented to a carbon wheel concentrator and then to a regenerative thermal oxidizer. Emissions from the manual clearcoat section are not captured and controlled and are vented to the atmosphere.

16. At all times relevant to this NOV/FOV, Wayne County has been designated "attainment or unclassifiable" for the 8-hour ozone ambient air standard.

17. Ford is a "major source" under Title V of the Act because it emits more than 100 tons per year of any air pollutant.

18. On November 6, 2004, Ford conducted performance testing at its Dearborn facility to determine the booth capture efficiency of the clearcoat sections of the topcoat booths.

19. The November 6, 2004 testing demonstrated that the booth capture efficiency of automated clearcoat section of the topcoat booth was 57%. It also demonstrated that the overall booth capture efficiency for the clearcoat sections (both automated and manual zones) was 30%.

20. On August 22, 2013, and April 16, 2015, EPA issued information requests to Ford pursuant to Section 114 of the Act, 42 U.S.C. § 7414, asking for, among other information, information on the Ford Dearborn facility's VOC emissions.

21. Ford provided responses to the information requests on September 27, 2013, October 28, 2013, November 27, 2013, and June 12, 2015.

22. Based on EPA's review of Ford's responses, in calculating the VOC emissions pursuant to Condition VI.1.c of its Title V Permit, Ford assumed that the clearcoat sections of the topcoat booths (both automated and manual) were achieving 57% overall booth capture efficiency, not the 30% overall booth capture efficiency documented by its November 6, 2004 performance test.

23. Using the overall booth capture efficiency of the clearcoat sections of the topcoat booths of 30% determined by Ford's November 6, 2004 performance testing results, Ford emitted more than 897 tpy of VOCs, calculated as a 12-month rolling total from July 2012 (with a 12-month average from August 2011 through July 2012) through May 2013 (with a 12-month average from June 2012 through May 2013).

24. Using the 30% overall booth capture efficiency of the clearcoat sections of the topcoat booths determined by Ford's November 6, 2004 performance testing results, Ford emitted more than 4.8 lbs of VOCs per job, calculated as a 12-month rolling average from May 2012 through at least June 2013.

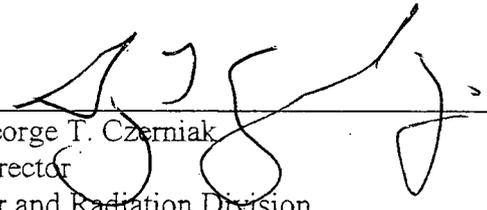
### **Violations**

25. By failing to maintain the VOC emissions from the facility below 897 tpy as a 12-month rolling total, Ford has violated Condition I.1 for the FG-Facility of the facility's Title V Permit, Section 502(a) of the Act, 40 C.F.R. § 70.7(b), and the Michigan SIP.

26. By failing to maintain the VOC emissions from the facility below 4.8 lbs per job as a 12-month rolling average, Ford has violated Condition I.2 for the FG-Facility of the facility's Title V Permit, Section 502(a) of the Act, 40 C.F.R. § 70.7(b), and the Michigan SIP.

27. By using 57% booth capture efficiency for the overall clearcoat sections of the topcoat booths, Ford has violated Condition VI.1.c for the FG-Facility of the facility's Title V Permit, Section 502(a) of the Act, 40 C.F.R. § 70.7(b), and the Michigan SIP.

12/28/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
George T. Czerniak  
Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, No. EPA-5-16-MI-02, by Certified Mail, Return Receipt Requested, to:

Rob Streight  
Permit Manager  
Ford Motor Company  
Environmental Quality Office  
Fairlane Plaza North, Suite 800  
290 Town Center Drive  
Dearborn, Michigan 48126

I also certify that I sent a copy of the Notice and Finding of Violation by first-class mail to:

Wilhemina McLemore, District Supervisor  
Michigan Department of Environmental Quality  
Cadillac Place, Suite 2-300  
3058 West Grand Blvd  
Detroit, MI 48202

Tom Hess, Enforcement Unit Supervisor  
Michigan Department of Environmental Quality  
Air Quality Division  
525 West Allegan  
P.O. Box 30260  
Lansing, Michigan 48909-7760

On the 29<sup>th</sup> day of December 2015.

CERTIFIED MAIL RECEIPT NUMBER: 7014 2870 0001 9581 4885

*Loretta Shaffer*  
for Loretta Shaffer, Program Specialist  
PAS, AECAB