



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

MAY 22 2008

REPLY TO THE ATTENTION OF:

AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Brenton
Regulatory Affairs Manager
Sun Chemical Corporation
4925 Evanston Avenue
Muskegon, Michigan 49442

Re: Notice of Violation

Dear Mr. Brenton:

This is to advise you that the U. S. Environmental Protection Agency has determined that Sun Chemical Corporation (Sun), located at 4925 Evanston Avenue, Muskegon, Michigan is in violation of the Clean Air Act (CAA). Enclosed is a Notice of Violation (NOV) for Sun's violations of its Permit to Install (PTI) number 194-94A. This permit was issued pursuant to Part 2 of the Michigan Air Pollution Control Commission General Rule found at R 336.1201.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action.

Before we decide which enforcement option is appropriate, we are offering you the opportunity to request a conference with us about the violations alleged in the NOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Lynne Roberts. You may call her at (312) 886-0250 if you wish to request a conference. EPA hopes that this NOV will encourage Sun's compliance with the requirements of the Clean Air Act.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl L. Newton".

Cheryl L. Newton
Acting Director
Air and Radiation Division

Enclosure

cc: Heidi Hollenbach, District Supervisor
Grand Rapids District Office
MDEQ

United States Environmental Protection Agency
Region 5

IN THE MATTER OF:)	
Sun Chemical Corporation)	NOTICE OF VIOLATION
Muskegon, Michigan)	
)	EPA-5-08-15-MI
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 et seq.)	

NOTICE OF VIOLATION

Sun Chemical Corporation (you or Sun) owns and operates a wet blue pigment process (process) at its Muskegon facility. This process is subject to the emission standards contained in the Michigan air permit Permit to Install (PTI) number 194-94A. This permit was issued pursuant to Part 2 of the Michigan Air Pollution Control Commission General Rule found at R 336.1201.

U.S. EPA is sending this Notice of Violation (NOV) to you for failure to comply with emission limits in PTI 194-94A. The details of the violation are outlined below.

U.S. EPA Region 5 is providing you with the opportunity to request a conference with us to discuss the violations alleged in the NOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for the Facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

Explanation of Violations

Violation of the Federally Enforceable Michigan State Implementation Plan (SIP) PTI Requirements:

1. The federally enforceable SIP at R 336.1201 requires the owner or operator of a potential source of air pollution to obtain a PTI.

2. On May 6, 1980, the EPA approved R 336.1201 as part of the federally enforceable Michigan SIP; the rule became effective on that same date. 45 Fed. Reg. 29790.
3. On June 23, 1997, Sun was issued a PTI 194-94A, to replace PTI 194-94, for its wet blue pigment process. PTI 194-94A contains emission limits for VOC, measured as pounds per hour, pounds per batch, and tons per year.
4. On January 8th and 9th, 2008, Sun conducted a VOC emission test on its wet blue pigment process. The test was conducted for three complete 8-hour runs. The result of the test showed VOC emissions to exceed the 3.34 pounds per batch limit.

Environmental Impact of Violations

Emission of volatile organic compounds contributes to the formation of ground-level ozone and smog. Breathing ozone can trigger a variety of health problems including chest pain, coughing, throat irritation, and congestion. It can worsen bronchitis, emphysema, and asthma. Ground-level ozone also can reduce lung function and inflame the linings of the lungs. Repeated exposure may permanently scar lung tissue. Ground-level ozone can have detrimental effects on plants and ecosystems. These effects include: interfering with the ability of sensitive plants to produce and store food, making them more susceptible to certain diseases, insects, other pollutants, competition and harsh weather; damaging the leaves of trees and other plants, negatively impacting the appearance of urban vegetation, national parks, and recreation areas; and reducing crop yields and forest growth, potentially impacting species diversity in ecosystems.

5/22/08

Date



Cheryl L. Newton
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Notice of Violation, No. EPA-5-07-15-MI, by

Certified Mail, Return Receipt Requested, to:

Robert Brenton, Regulatory Affairs Manager
Sun Chemical Corporation
4925 Evanston Avenue
Muskegon, Michigan 49442

I also certify that I sent copies of the Notice of Violation by first class mail to:

Heidi Hollenbach, District Supervisor
Grand Rapids District
State Office Building, 6th Floor, Unit 10
350 Ottawa Avenue
Grand Rapids, Michigan 49503-2341

on the 27th day of May, 2008.


Betty Williams
Administrative Program Assistant
AECAS IL/IN

CERTIFIED MAIL RECEIPT NUMBER 7001 0320 0006 0186 1351