



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

September 10, 2020

Mr. Brent Gerken, President
The Gerken Companies
9072 County Road 424
Napoleon, Ohio 43545

SRN: B7068, Lenawee County

Dear Mr. Gerken:

VIOLATION NOTICE

On August 26, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Gerken Materials - Adrian Asphalt Plant located at 2675 Treat Road, Adrian, Michigan. The purpose of this inspection was to determine Gerken Materials - Adrian Asphalt Plant 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); the Air Pollution Control Rules; and the conditions of Permit to Install (PTI) number 783-79G;

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EUHMAPLANT (Hot mix asphalt facility)	Special Condition II.4	Exceeded the 100,000 ton of asphalt produced limit per 12 month rolling time for three straight months in 2019.

The conditions of PTI number(s) 783-79G limit the production of the amount of asphalt produced to 100,000 per 12 month rolling time period. In June, July, and August of 2019, Gerken Materials - Adrian Asphalt Plant had 12 month totals of 109,983 tons, 107,308 tons, and 107,572 tons of asphalt, respectively.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 1, 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 violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

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Please submit the written response to EGLE, AQD, Jackson District, at 301 East Louis Glick Highway, Jackson, Michigan 49201 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Gerken Materials - Adrian Asphalt Plant 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 and for the cooperation that was extended to me during my inspection of Gerken Materials - Adrian Asphalt Plant. 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,



Brian Carley
Environmental Quality Specialist
Air Quality Division
517-416-4631

cc:

Mr. David Benecke, The Gerkin Companies
Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Scott Miller, EGLE
Ms. Jenine Camilleri, EGLE