



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

September 4, 2019

Mr. John Berscheit
Rieth Riley Construction Co., Inc.
20251 East 19 Mile Road
Big Rapids, Michigan 49307

SRN: N1384 , Mecosta County

Dear Mr. Berscheit:

VIOLATION NOTICE

On August 26, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an investigation of Rieth Riley Construction Co., Inc., (Rieth Riley) located at 20251 East 19 Mile Road, Big Rapids, Michigan. The purpose of this investigation was to determine Rieth Riley'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); the Air Pollution Control Rules; the conditions of Permit to Install (PTI) number 401-86K; and to investigate a recent complaint which we received on August 21, 2019, regarding foul odors attributed to asphalt plant operations.

During the investigation, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Asphalt Plant Fabric Filter Baghouse	PTI No. 401-86K, General Condition (GC) 11; Rule 301	Opacity greater than 20 percent.
	PTI No. 401-86K, EUHMAPLANT, Special Conditions (SC) III.1, III.2, IV.1, and VI.5; Rule 910	Improper operation of a control device.
	PTI No. 401-86K, EUHMAPLANT, SC VI.5	Failure to maintain adequate maintenance and repair records for EUHMAPLANT.

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During this inspection it was noted that the Fabric Filter Baghouse was emitting opacity in excess of emissions allowed by PTI No. 401-86K, GC 11 and Rule 301 of the administrative rules promulgated under Act 451. The average six-minute opacity reading was determined to be 33 percent. PTI No. 401-86K, EUHMAPLANT, SC III.2 (Appendix B, Item 5) requires the facility to cease operations immediately if visible emissions appear to exceed the standard allowed in GC 11 of the PTI of 20 percent and there is no certified visible emissions reader available within 60-minutes. Per discussions with Mr. Waldo on August 30, 2019, Rieth Riley has two (2) certified readers. Neither were available on August 26, 2019.

The cause of the opacity was determined to be due to worn filter bags (approximately 80). Operating in this manner is not considered proper operation and maintenance of a control device, which constitutes a violation of PTI No. 401-86K, EUHMAPLANT SC III.1 (Appendix A, Item 6), III.2 (Appendix B, Item 5), IV.1, VI.5 and Rule 910 of the administrative rules promulgated under Act 451. Rule 910 requires that an air-cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with the administrative rules and existing law.

During this investigation, Rieth Riley was unable to produce adequate maintenance records. This is a violation of the recordkeeping requirements specified in EUHMAPLANT, SC VI.5 of PTI number 401-86K, which requires records of all significant maintenance and repairs to EUHMAPLANT to be maintained.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 25, 2019 (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.

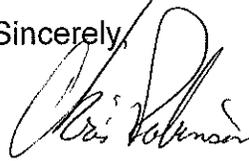
Please submit the written response to EGLE, AQD, Grand Rapids District, at 350 Ottawa Avenue NW, Unit 10, Grand Rapids, Michigan 49503 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Rieth Riley 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.

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Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my investigation of Rieth Riley. 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,

A handwritten signature in black ink, appearing to read "Chris Robinson". The signature is stylized with a large initial "C" and "R".

Chris Robinson
Environmental Quality Analyst
Air Quality Division
616-356-0259

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