



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

August 31, 2021

VIA E-MAIL

Mr. James Mertes  
Payne & Dolan C28  
N3W23650 Badinger Road  
PO Box 781  
Waukesha, Wisconsin 53187

SRN: N2657, Delta County

Dear Mr. Mertes:

**VIOLATION NOTICE**

On August 2, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), requested records that are required to be maintained in Permit to Install (PTI) #894-90M. The purpose of this inspection was to determine Payne & Dolan C28 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; the Air Pollution Control Rules; and the conditions of PTI #894-90M;

From records reviewed, staff found the following:

| <b>Process Description</b> | <b>Rule/Permit Condition Violated</b>       | <b>Comments</b>  |
|----------------------------|---|--|
| EU001 - Asphalt Plant      | Special Condition 12(b)(ii) of PTI #894-90M | Source was unable to provide records of the pounds of CO emitted per ton of HMA produced from the burner checks. |
| EU-001 - Asphalt Plant     | Special Condition 29 of PTI #894-90M        | Source has not verified HAP emission rates as required in Special Condition 29.                                  |

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 20, 2021 (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, Marquette District, at 1504 West Washington Street, Marquette, Michigan 49855 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Payne & Dolan C28 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 the records review. 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 cursive script that reads "Michael Conklin".

Michael Conklin  
Environmental Engineer  
Air Quality Division  
906-202-0013

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