



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

April 24, 2020

VIA E-MAIL

Mr. James Mertes  
Payne & Dolan Inc. C34  
P.O. Box 781  
N3 W23650 Badinger Road  
Waukesha, Wisconsin 53187

SRN: N6569, Chippewa County

Dear Mr. Mertes:

**VIOLATION NOTICE**

On April 15, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted a partial compliance inspection of Payne & Dolan Inc. C34 located at 17777 South Caldwell Road, Kinross, Michigan. The purpose of this partial compliance inspection was to determine Payne & Dolan Inc. C34 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 40-99D.

During the review of provided records, staff found the following:

<b>Process Description</b>	<b>Rule/Permit Condition Violated</b>	<b>Comments</b>
Carbon monoxide (CO) emissions monitoring	Special Condition VI.3 under EUHMAPLANT	The burner check report dated 7/2/2019 indicated CO emisisions were 1073 ppmv and that no tuning was performed to reduce CO emissions. The CO emissions should be less than 500 ppmv to ensure EUHMAPLANT is operating properly.
Fugitive emissions from EUYARD	Special Condition VI.2 under EUYARD	Annual fugitive emissions from EUYARD are not being calculated and recorded.
HAP emissions from FGFACILITY	Special Condition VI.2 under FGFACILITY	Individual and aggregate HAP emissions are not being calculated and recorded.

The records provided demonstrate that actual emissions of CO from the drum dryer/mixer process equipment are 1073 ppmv.

The conditions of PTI number 40-99D limit the emissions of CO from the drum dryer/mixer process equipment to 500 ppmv.

During this inspection, Payne & Dolan Inc. C34 was unable to produce emission records.

This is a violation of (the recordkeeping and emission limitations) specified in Special Condition VI.2 under EUYARD and FGFACILITY of PTI number 40-99D.

The conditions of PTI number 40-99D require emission calculation records, which shall be made available for review upon request by the AQD staff.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by May 15, 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.

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 Inc. C34 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 Payne & Dolan Inc. C34. 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,



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