



PAYNE & DOLAN
INCORPORATED
A WALBEC GROUP COMPANY

September 25, 2023

Ms. Lauren Luce
LuceL1@Michigan.gov
Air Quality Division—MEGLE
1504 West Washington Street
Marquette, Michigan 49855

RE: September 20, 2023 Notice of Violation for an Unpermitted asphalt cement tank,
Control 40 Plant P1204

Dear Ms. Luce:

I am responding to your September 20, 2023 Notice of Violation for the Payne and Dolan Control 40 Asphalt Plant.

As we have agreed, I have submitted a permit to install application to modify the permit language to adjust the number of asphalt cement tanks from 2 to 3. Our original application only specified 2 -30,000 asphalt cement storage tanks due to a communication error between our corporate departments.

Our other Michigan asphalt plant permits do not specify the number of asphalt cement tanks since emissions from this source are generally *di minimus*. The extra tank has never been used. A copy of the new application is attached.

Should you have any questions regarding this letter, please do not hesitate to contact me at 262-524-1849.

Sincerely,



James J. Mertes, CHMM, PH
Environmental Manager

cc Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, PO Box 30260, Lansing , MI 48909-7760

An Equal Opportunity Employer

PO Box 781
N3 W23650 Badinger Rd
Waukesha, WI 53187
262-524-1700

www.payneanddolan.com

**PERMIT TO INSTALL APPLICATION**

For authority to install, construct, reconstruct, relocate, or modify process, fuel-burning or refuse burning equipment and/or control equipment. Permits to install are required by administrative rules pursuant to Section 5505 of 1994 PA 451, as amended.

FOR DEQ USE ONLY APPLICATION NUMBER

Please type or print clearly. The "Application Instructions" and "Information Required for an Administratively Complete Permit to Install Application" are available on the Air Quality Division (AQD) Permit Web Page at <http://www.deq.state.mi.us/aps>. Please call the AQD at 517-373-7023 if you have not been contacted within 15 days of your application submittal.

1. FACILITY CODES: State Registration Number (SRN) and North American Industry Classification System (NAICS)			
SRN	P 1 2 0 4	NAICS	3 2 4 1 2
2. APPLICANT NAME: (Business License Name of Corporation, Partnership, Individual Owner, Government Agency) Payne and Dolan, Inc.			
3. APPLICANT ADDRESS: (Number and Street) PO Box 1632		MAIL CODE:	
CITY: (City, Village or Township) Waukesha	STATE: WI	ZIP CODE: 53187	COUNTY: Waukesha
4. EQUIPMENT OR PROCESS LOCATION: (Number and Street – if different than Item 3) County Road NC			
CITY: (City, Village or Township) Sands Township		ZIP CODE:	COUNTY:
5. GENERAL NATURE OF BUSINESS: Asphalt Mix production			
6. EQUIPMENT OR PROCESS DESCRIPTION: (A Description MUST Be Provided Here. Include Emission Unit IDs. Attach additional sheets if necessary; number and date each page of the submittal.) Modify Permit to Install 33-21 to include three 30,000 asphalt cement storage tanks, rather than the existing 2. Emissions associated with a third AC cement tank are di minimus. A clerical error resulted in only two tanks in the original permit.			
7. REASON FOR APPLICATION: (Check all that apply.) <input type="checkbox"/> INSTALLATION / CONSTRUCTION OF NEW EQUIPMENT OR PROCESS <input type="checkbox"/> RECONSTRUCTION / MODIFICATION / RELOCATION OF EXISTING EQUIPMENT OR PROCESS – DATE INSTALLED: <input checked="" type="checkbox"/> OTHER – DESCRIBE			
8. IF THE EQUIPMENT OR PROCESS THAT WILL BE COVERED BY THIS PERMIT TO INSTALL (PTI) IS CURRENTLY COVERED BY ANY ACTIVE PERMITS, LIST THE PTI NUMBER(S): 33-21			
9. DOES THIS FACILITY HAVE AN EXISTING RENEWABLE OPERATING PERMIT (ROP)? <input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> PENDING APPLICATION <input type="checkbox"/> YES PENDING APPLICATION OR ROP NUMBER:			
10. AUTHORIZED EMPLOYEE: James J Mertes		TITLE: ENV MGR	PHONE NUMBER: (Include Area Code) 262 524 1849
SIGNATURE:		DATE: 9-25-2023	E-MAIL ADDRESS: jmertes@walbecgroup.com
11. CONTACT: (If different than Authorized Employee. The person to contact with questions regarding this application)			PHONE NUMBER: (Include Area Code)
CONTACT AFFILIATION:			E-MAIL ADDRESS:
12. IS THE CONTACT PERSON AUTHORIZED TO NEGOTIATE THE TERMS AND CONDITIONS OF THE PERMIT TO INSTALL? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
FOR DEQ USE ONLY - DO NOT WRITE BELOW			
DATE OF RECEIPT OF ALL INFORMATION REQUIRED BY RULE 203:			
DATE PERMIT TO INSTALL APPROVED:		SIGNATURE:	
DATE APPLICATION / PTI VOIDED:		SIGNATURE:	
DATE APPLICATION DENIED:		SIGNATURE:	
A PERMIT CERTIFICATE WILL BE ISSUED UPON APPROVAL OF A PERMIT TO INSTALL			