



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



C. HEIDI GREYER
DIRECTOR

October 10, 2016

Mr. Thomas Harris, Area Manager
Rieth-Riley Construction Company
4150 South Creyts Road
Lansing, Michigan 48917

SRN: B1646, Eaton County

Dear Mr. Harris:

VIOLATION NOTICE

On August 15, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) conducted an inspection of Rieth-Riley located at 4150 South Creyts Road, Lansing. The purpose of this inspection 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; and the conditions of Permit to Install (PTI) number 97-03A.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EU-001 Baghouse	PTI 97-03A, Condition 1.9 and Appendix A "Preventative Maintenance Program for the Baghouse" Condition 6 "Black Light Inspections".	Black light test was not conducted prior to the start of the paving season.
EU-001 Baghouse	Rule 336.1910; and PTI 97-03A, Special Condition 1.9 and Appendix A "Preventative Maintenance Program for the Baghouse" Condition 8 "Baghouse Inspection Record".	Visible emissions observed from stack on July 1, 2016 and July 5, 2016: baghouse was not operating properly.
EU-001 Baghouse	PTI 97-03A, Special Conditions 1.8 and Appendix A "Preventative Maintenance Program for the Baghouse" Condition 8 "Baghouse Inspection Record".	Visual inspection records of the baghouse (including date, time and findings) and baghouse maintenance records of the baghouse were not kept.

PTI 97-03A condition 1.9 requires that the permittee shall not operate EU-001 unless the baghouse is installed and operating properly as described in the Preventative Maintenance Program (PMP) contained in Appendix A of the PTI. According to Appendix A, Condition 6, a black light test is required to be conducted at least once per year before operations for the paving season begin. According to production records provided for the 2016 operating season, Rieth-Riley's production started in March 2016 with 1,331 tons of hot mix asphalt produced over a period of approximately 6 hours. Per documentation provided by Rieth-Riley, the earliest black light tests Rieth-Riley conducted were on April 7, 2016 and April 8, 2016.

Failure to conduct a black light test prior to the start of the operating season is a violation of PTI 97-03A condition 1.9 and Appendix A.

On July 1, 2016 and July 5, 2016, AQD staff observed operation of EU-001 while the baghouse was being operated in an unsatisfactory manner: visible emissions (VEs) were observed being emitted from the stack on both these dates. AQD staff arrived onsite July 5, 2016, and made Rieth-Riley aware of the observed VEs for the July 5, 2016 incident. Rieth-Riley acknowledged they were aware of the VEs.

This constitutes a violation of Act 451, Rule 910, which 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.

Improper operation of the baghouse also constitutes a violation of Condition 1.9 and the PMP, in Appendix A of PTI 97-03A. Condition 1.9 requires that the permittee shall not operate EU-001 unless the baghouse is installed and operating properly as described in the PMP. The PMP Condition 8 requires that upon observation of VEs at the stack discharge point, a record of the description of the response to the observed VEs, including the date and time of the VE occurrence be maintained. Rieth-Riley was unable to provide records for the VEs the AQD staffperson made Rieth-Riley aware of on July 5, 2016.

Additionally, the PMP Condition 8 requires that records be maintained for visual inspections of the interior components of the baghouse, including the date, time and findings; that records be maintained for the number of filter bags installed as a result of each inspection to replace filter bags already in use in the baghouse, including date, time, location and whether the replacement filter bag was brand new or a cleaned, previously used filter bag; and that records be maintained with an explanation (i.e. a description of the damage found) for each filter bag removed from the baghouse and a confirmation that another filter bag was installed to replace it. During the inspection, Mr. Tom Harris indicated that 10 bags were replaced as the result of the July 5, 2016 incident, and he also said that the baghouse is inspected every 10 days.

Rieth-Riley was unable to produce the records required in the aforementioned Condition 8 requirements of the PMP, Appendix A for the July 5, 2016 incident and for routine baghouse inspections.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 31, 2016. 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.

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.

Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my inspection 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 telephone number listed below.

Sincerely,



Michelle Luplow
Environmental Quality Analyst
Air Quality Division
517-284-6636

ML:TG

cc/via e-mail: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Christopher Ethridge, DEQ
Mr. Thomas Hess, DEQ
Mr. Brad Myott, DEQ

