



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
KALAMAZOO DISTRICT OFFICE



DAN WYANT
DIRECTOR

September 24, 2014

Mr. John Berscheit
Rieth-Riley Construction Co., Inc.
P.O. Box 477
Goshen, Indiana 46527

SRN: B5838, Berrien County

Dear Mr. Berscheit:

VIOLATION NOTICE

On September 23, 2014, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD), conducted a review of Permit to Install (PTI) No. 110-87E issued to Rieth-Riley Construction (Facility), located at 1589 Townline Road, Benton Harbor, Michigan. The purpose of this review was to determine compliance with the testing 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 administrative rules; and the testing conditions contained within PTI No. 110-87E.

Following the review, staff of the MDEQ, AQD, observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Hot-Mix Asphalt Production	Special Condition V.2 of PTI No. 110-87E	The Facility was required to perform testing on the emission rates of carbon monoxide within 60 days of achieving maximum production or within 180 days after commencement of trial operations. The AQD had been told previously that the Facility started production on May 29, 2014; testing should have been completed by July 27, 2014.
Hot-Mix Asphalt Production	Special Condition V.3 of PTI No. 110-87E, and 40 CFR, Part 60, Subparts A and I.	The Facility was required to perform testing on the emission rates of particulate matter within 60 days of achieving maximum production or within 180 days after commencement of trial operations. The AQD had been told previously that the Facility started production on May 29, 2014; testing should have been completed by July 27, 2014.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 15, 2014 (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

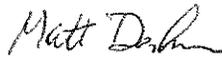
Mr. John Berscheid
Page 2
September 24, 2014

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 the Facility 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. 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,



Matt Deskins
Environmental Quality Analyst
Air Quality Division
269-567-3542

MD:CF

cc: Ms. Lynn Fiedler, MDEQ
Ms. Mary Ann Dolehanty, MDEQ
Ms. Teresa Seidel, MDEQ
Mr. Thomas Hess, MDEQ
Ms. Mary Douglas, MDEQ