



PAYNE & DOLAN
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EGLE/AQD

MAY 15 2020

Maces _____ Maers _____
File _____
CC _____

May 13, 2020

Mr. Michael Conklin
Environmental Engineer
Air Quality Division—MEGLE
1504 West Washington Street
Marquette, Michigan 49855

RE: Violation Notice SRN: N6569, Chippewa County
Payne and Dolan Control 34
April 24, 2020

Dear Mr. Conklin:

This letter is in response to the above-referenced Violation Notice, dated April 24, 2020. It is also a follow up to our previous telephone conversations regarding records prior to the Violation Notice.

I will address each of the alleged violations separately below:

Carbon Monoxide (CO) emissions monitoring

Since it is not possible to calculate actual CO emissions by using simple industry-standard portable instrumentation, we have contacted a stack test consulting firm, which has developed equipment and procedures for calculating air flow rates and actual CO emissions for the regular burner checks going forward. This is the same procedure that we have implemented for our Control 21 portable asphalt plant that you audited last year.

Fugitive Emissions from EUYARD

Working with you, we have added fugitive emissions to the MAERS inventory calculations to satisfy this requirement for 2019 and going forward.

HAP Emissions from FGFACILITY

I have attached (and previously emailed) six spreadsheets with all individual and aggregate HAP emissions from AP42, Chapter 11.1, Tables 10, 12, 14, 15, 16, which were prepared as discussed with you. These spreadsheets show that total HAPS were at 332 pounds in 2018 and 415 pounds in 2019, both of which are way below the

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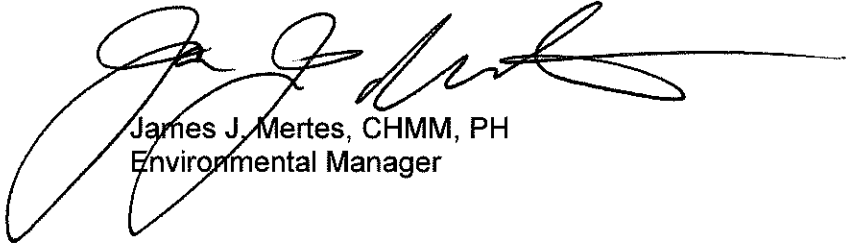
PO Box 781
N3 W23650 Badinger Rd
Waukesha, WI 53187
262-524-1700

www.payneanddolan.com

permitted limit of 13,000 pounds. These calculations show that it would not be possible to exceed the HAP limits with a conventional asphalt plant given the physical and market constraints.

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

Sincerely,

A handwritten signature in black ink, appearing to read "James J. Mertes", with a long horizontal flourish extending to the right.

James J. Mertes, CHMM, PH
Environmental Manager

cc Ms. Jenine Camilleri, Enforcement Unit Supervisor, MEGLE--AQD, PO Box 30260,
Lansing, Michigan 48909-7760

TOTAL HAPS

Date	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
Tons of Asphalt Made	0	0	0	0	1360.8	19323.36	13985.15	6912.47	8814.29	6677.27	1902.32	0	0	0	0	0	5149.27	18466.35	17509.64	5725.45	105.89	10760.21	1063.31	0	0.00	0.00	0.00	0.00	5732.92	14787.44	15146.26	9325.58	14047.22	13600.22	766.02	0.00
Plant Total Monthly	0	0	0	0	7.410871	105.2344	76.16266	37.64508	48.00233	36.36419	10.35997	0	0	0	0	0	28.04275	100.5671	95.35692	31.18061	0.576673	58.59975	5.790751	0	0	0	0	31.22129	80.53190582	82.48602759	50.7868	76.50069235	74.06634523	4.171719	0	
Total 12 Month Rolling	0	0	0	0	0	0	0	0	0	0	0	321.1795	321.1795	321.1795	321.1795	321.1795	341.8114	337.1441	356.3384	349.8739	302.4482	324.6838	320.1146	320.1146	320.1146	320.1146	320.1146	323.2931	303.2578933	290.3870045	309.9932	385.9172115	401.3838114	399.7648	399.7648	
Silo Total Monthly	0	0	0	0	0.198852	2.823701	2.043634	1.010112	1.288022	0.975742	0.277984	0	0	0	0	0	0.752457	2.698467	2.558664	0.836654	0.015474	1.572378	0.15538	0	0	0	0	0.837745	2.160872165	2.213306133	1.362737	2.052704639	1.987385027	0.111938	0	
Total 12 Month Rolling	0	0	0	0	0	0	0	0	0	0	0	8.618048	8.618048	8.618048	8.618048	8.618048	9.171653	9.046419	9.561448	9.387991	8.115442	8.712077	8.589474	8.589474	8.589474	8.589474	8.589474	8.674762	8.137166676	7.791808584	8.317892	10.35512263	10.77013013	10.72669	10.72669	
Load Out Total Monthly	0	0	0	0	0.076305	1.083537	0.784203	0.38761	0.494252	0.374421	0.106671	0	0	0	0	0	0.28874	1.035482	0.981835	0.321049	0.005938	0.603368	0.059624	0	0	0	0	0.321468	0.829190448	0.849310909	0.522922	0.787683375	0.762618311	0.042954	0	
Total 12 Month Rolling	0	0	0	0	0	0	0	0	0	0	0	3.306999	3.306999	3.306999	3.306999	3.306999	3.519434	3.471378	3.66901	3.602449	3.114135	3.343081	3.296035	3.296035	3.296035	3.296035	3.296035	3.328762	3.122471097	2.989947001	3.191821	3.97356628	4.132816912	4.116147	4.116147	
TOTAL HAP	0	0	0	0	7.686029	109.1416	78.9905	39.0428	49.7846	37.71435	10.74463	0	0	0	0	0	29.08395	104.3011	98.89742	32.33831	0.598085	60.77549	6.005755	0	0	0	0	32.3805	83.52196843	85.54864463	52.67246	79.34108036	76.81634857	4.326611	0	
TOTAL ROLLING	0	0	0	0	0	0	0	0	0	0	0	333.1045	333.1045	333.1045	333.1045	333.1045	354.5024	349.6619	369.5688	362.8643	313.6778	336.739	332.0001	332.0001	332.0001	332.0001	332.0001	332.0001	335.2966	314.517531	301.1687601	321.5029	400.2459004	416.2867584	414.6076	414.6076

Date	2018				2019			
	Plant	Silo	Load Out	Total	Plant	Silo	Load Out	Total
Benzene	22.9242468	0.229233	0.127123	23.2806	28.62821	0.28627	0.158753	29.07323
Ethylbenzene	14.1072288	0.272214	0.684506	15.06395	17.61736	0.339946	0.854824	18.81213
Formaldehyde	182.218372	4.942838	0.215131	187.3763	227.5575	6.172704	0.268659	233.9989
Hexane	54.0777104	0.716353	0.3667	55.16076	67.53321	0.894595	0.457941	68.88574
Isocotane (2,2,4-trimethylpentane)	2.3512048	0.002221	0.0044	2.357826	2.936226	0.002773	0.005495	2.944495
Methyl chloroform	2.82144576	0	0	2.821446	3.523472	0	0	3.523472
Toluene	8.817018	0.444139	0.51338	9.774537	11.01085	0.554649	0.641118	12.20662
Xylene	11.756024	0.408321	0.195573	12.35992	14.68113	0.509919	0.244235	15.43529
2-Methylnaphthalene	4.34972888	0.727095	0.47695	5.553774	5.432019	0.908009	0.595623	6.935651
Acenaphthene	0.082292168	0.064845	0.052104	0.199241	0.102768	0.08098	0.065068	0.248816
Acenaphthylene	0.505509032	0.001932	0.005611	0.513052	0.631289	0.002412	0.007007	0.640708
Anthracene	0.012931626	0.017936	0.014028	0.044895	0.016149	0.022399	0.017518	0.056066
Benzo(a)anthracene	0.012343825	0.007726	0.003808	0.023878	0.015415	0.009649	0.004755	0.029819
Benzo(a)pyrene	0.000576045	0	0.000461	0.001037	0.000719	0	0.000576	0.001295
Benzo(b)fluoranthene	0.005878012	0	0.001523	0.007401	0.007341	0	0.001902	0.009243
Benzo(e)pyrene	0.006465813	0.001311	0.001563	0.00934	0.008075	0.001637	0.001952	0.011663
Benzo(g,h,i)perylene	0.002351205	0	0.000381	0.002732	0.002936	0	0.000475	0.003412
Benzo(k)fluoranthene	0.002409985	0	0.000441	0.002851	0.00301	0	0.000551	0.00356
Chrysene	0.010580422	0.028973	0.020641	0.060195	0.013213	0.036183	0.025777	0.075173
Fluoranthene	0.035855873	0.020695	0.01002	0.066571	0.044777	0.025845	0.012513	0.083135
Fluorene	0.223364456	0.139348	0.154307	0.51702	0.278942	0.174021	0.192702	0.645664
Indeno(1,2,3-cd)pyrene	0.000411461	0	9.42E-05	0.000506	0.000514	0	0.000118	0.000631
Naphthalene	5.2902108	0.251103	0.250499	5.791813	6.606509	0.313582	0.312827	7.232919
Perylene	0.000517265	0.004139	0.004409	0.009065	0.000646	0.005169	0.005506	0.011321
Phenanthrene	0.446728912	0.248344	0.162323	0.857396	0.557883	0.310136	0.202712	1.070731
Pyrene	0.031741265	0.060706	0.03006	0.122507	0.039639	0.075811	0.037539	0.152989
Antimony	0.010580422			0.01058	0.013213			0.013213
Arsenic	0.032916867			0.032917	0.041107			0.041107
Barium	0.340924696			0.340925	0.425753			0.425753
Beryllium	0			0	0			0
Cadmium	0.024099849			0.0241	0.030096			0.030096
Chromium	0.32329066			0.323291	0.403731			0.403731
Cobalt	0.001528283			0.001528	0.001909			0.001909
Copper	0.182218372			0.182218	0.227558			0.227558
Hexavalent chromium	0.026451054			0.026451	0.033033			0.033033
Lead	0.036443674			0.036444	0.045512			0.045512
Manganese	0.045260692			0.045261	0.056522			0.056522
Mercury	0.014107229			0.014107	0.017617			0.017617
Nickel	3.70314756			3.703148	4.624557			4.624557
Phosphorus	1.64584336			1.645843	2.055358			2.055358
Silver	0.028214458			0.028214	0.035235			0.035235
Selenium	0.020573042			0.020573	0.025692			0.025692
Thallium	0.000240998			0.000241	0.000301			0.000301
Zinc	3.58558732			3.585587	4.477745			4.477745
Total	320.1145761	8.589474	3.296035	332	399.7648	10.72669	4.116147	414.61

12-month rolling limits are 5,600 pounds for any single hazardous air pollutant (HAP) and 13,000 pounds for all HAPS combined

