



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

October 1, 2019

Mr. John Berscheit
Rieth-Riley Construction Co. Inc
P.O. Box 477
Goshen, Indiana 46526

SRN: N7415, Kalamazoo County

Dear Mr. Berscheit:

VIOLATION NOTICE

On July 30, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Rieth-Riley Construction Co. Inc located at 911 Hatfield Avenue, Kalamazoo, Michigan. The purpose of this inspection was to determine the facility'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 262-04B.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EUHMAPLANT	PTI 262-04B, EUHMAPLANT, III.2, III.3, VI.5, Appendix B.8, Appencix C	The facility could not provide maintenance/inspection records
Warm-mix asphalt operation	R 336.1201 (Rule 201)	The facility could not provide exemption determination documentation, and this process does not have a permit.

During this inspection, Rieth-Riley Construction Co. Inc was unable to produce maintenance/inspection records. The conditions of PTI number 262-04B require the facility to maintain maintenance/inspection records, which shall be made available for review upon request by the AQD staff.

During this inspection, it was noted that Rieth-Riley Construction Co. Inc could not provide documentation to show that their existing warm-mix asphalt operations qualified for an exemption. If this operation cannot comply with an exemption, it will require a permit.

A program for compliance may include a completed PTI application for the warm-mix asphalt equipment. An application form is available by request, or at the following website: www.michigan.gov/air (in the shaded box on the upper right-hand side of the page).

Mr. Berscheid
Rieth-Riley Construction Co. Inc.
Page 2
October 1, 2019

Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 22, 2019 (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, Kalamazoo District, at 7953 Adobe Road, Kalamazoo, Michigan 49009 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Rieth-Riley Construction Co. Inc 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 the facility. 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,



Monica Brothers
Environmental Quality Analyst
Air Quality Division
269-567-3552

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Rex Lane, EGLE