



RECEIVED
AQD

SEP 21 2020

MACES X MAERS _____
FILE _____

Monday September 14, 2020

RE: EGLE Violation Notice dated August 24th, 2020 (enclosed)

EGLE, AQD Cadillac District
120 West Chaplin Street
Cadillac, MI 49601

cc: Ms. Jenine Camilleri, Enforcement Unit Supervisor
EGLE AQD
P.O. Box 30260
Lansing, MI 48909-7760

To whom it may concern:

I am responding to the enclosed **Violation Notice** dated August 24, 2020. For each item noted in the enclosed notice, I am responding as requested.

It is important to note, that we first became aware of each of the violations the moment we received the enclosed letter from EGLE. Of significance here, Molon Asphalt was formed and acquired the EUHMAPLANT in 2019. At the time of acquisition last year, Molon was given assurances by the Seller that the plant was in good operating condition and in full compliance with EGLE AQD as well as all other federal, state and local laws and regulations. Through this process of working with EGLE AQD we have since learned that there were pre-existing violations to which we were unaware. It is our immediate priority and focus to get the EUHMAPLANT & FGFACILITY in full compliance with all laws and regulations.

Following are the noted violations followed by our corrective action:

1. EUHMAPLANT- Failed to complete performance testing for verification and quantification of odor emissions and CO emissions from EUHMAPLANT, and failed to submit required test protocols.
 - a. It is our understanding that this requirement should have been completed in 2016 after the plant underwent significant modifications.
 - b. Corrective action is presently underway to hire an independent testing firm in the spring of 2021 to conduct testing as required. We will provide EGLE with an update with exact dates as they become known to us.
2. EUHMAPLANT- Failed to complete performance testing to verify particulate emission rates from EUHMAPLANT, and submit required test protocol.
 - a. It is our understanding that this requirement should have been completed in 2016 after the plant underwent significant modifications.

Molon Asphalt Inc.
125 Buck Shot Drive, P.O. 1860
Traverse City, Michigan 49685
Tel: 231.943.3929
Fax: 231.943.3954

- b. Corrective action is presently underway to hire an independent testing firm in the spring of 2021 to conduct testing as required. We will provide EGLE with an update with exact dates as they become known to us.
3. EUHMAPLANT- Failed to monitor, with a handheld CO monitor, the CO emissions from EUHMAPLANT and the production data associated with the time the emissions data collected upon start-up of the paving season.
 - a. We did this however with the absence of items #1 and #2, this failed.
 - b. Going forward we will conduct these tests with hand held as required and will be in full compliance with regulations as stated.
4. EUHMAPLANT- Failed to collect monthly and 12-month rolling time period emission calculation records of all criteria pollutants and TACs listed in the Emission Limit Table for EUHMAPLANT.
 - a. This has been provided to EGLE and we are awaiting for approval.
 - b. Going forward we will keep this up to date and in full compliance.
5. FGFACILITY- Failed to calculate monthly as 12-month rolling time period CO emission calculation records for FGFACILITY, as required by SC I.1, and have readily available upon request.
 - a. This has been provided to EGLE and we are awaiting for approval.
 - b. Going forward we will keep this up to date and in full compliance.
6. FGFACILITY- Failed to calculate individual and aggregate HAP emissions determining the monthly emission rate of each in tons per calendar month. And individual and aggregate HAP emission calculations, as required by SC I.2 and SC I.3 in FGFACILITY, in tons per 12-month rolling time period as determined at the end of each calendar month, and have readily available upon request.
 - a. This has been provided to EGLE and we are awaiting for approval.
 - b. Going forward we will keep this up to date and in full compliance.

Thank you,



Scott Porter
President, Molon Asphalt



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

August 24, 2020

Mr. Bryan Rasmussen
Controller
Molon Asphalt Inc.
18695 Honor Highway
Interlochen, Michigan 49643

SRN: P0206, Benzie County

Dear Mr. Rasmussen:

VIOLATION NOTICE

On July 1, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Molon Asphalt Inc. located at 18695 Honor Highway in Interlochen, Michigan. The purpose of this inspection was to determine Molon Asphalt Inc. 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 19-11B.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EUHMAPLANT	SC V.1 and SC V.2 Rules: R 336.1205(1)(a), R 336.1205(3), R 336.1901, R 336.2001, R 336.2003, R 336.2004	Failed to complete performance testing for verification and quantification of odor emissions and CO emissions from EUHMAPLANT, and failed to submit required test protocol plans.
EUHMAPLANT	SC V.3, Rule 40 CFR Part 60, Subpart I	Failed to complete performance testing to verify particulate emission rates from EUHMAPLANT, and submit required test protocol.
EUHMAPLANT	SC VI.3, Rules: R 336.1205(1)(a), R 336.1205(3), R 336.1224, R 336.1225, R 336.1702	Failed to monitor, with a handheld CO monitor, the CO emissions from EUHMAPLANT and the production data associated with the time the emissions data collected upon start-up of the paving season.

Mr. Bryan Rasmussen
 Molon Asphalt
 Page 2 of 3
 August 24, 2020

EUHMAPLANT	SC VI.8, Rules: R 336.1205(1)(a), R 336.1205(3), R 336.1224, R 336.1225, R 336.1702	Failed to collect monthly and 12-month rolling time period emission calculation records of all criteria pollutants and TACs listed in the Emission Limit Table for EUHMAPLANT.
FGFACILITY	SC VI.2, Rule 336.1205(3)	Failed to calculate monthly and 12-month rolling time period CO emission calculation records for FGFACILITY, as required by SC I.1, and have readily available upon request.
FGFACILITY	SC VI.3, Rule 336.1201(3)	Failed to calculate individual and aggregate HAP emissions determining the monthly emission rate of each in tons per calendar month. And individual and aggregate HAP emission calculations, as required by SC I.2 and SC I.3 in FGFACILITY, in tons per 12-month rolling time period as determined at the end of each calendar month, and have readily available upon request.

This process is also subject to the federal New Source Performance Standards (NSPS) for Hot Mix Asphalt Facilities. These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart I.

During this inspection, Molon Asphalt, Inc. was unable to produce emission records.

This is a violation of the record keeping and emission limitations specified in Special Condition SC I.1 through SC I.3 and SC VI.8 in EUHMAPLANT and SC I.1 through SC I.3, SC VI.3 and SC VI.3 in FGFACILITY of PTI number 19-11B.

The conditions of PTI number 19-11B require performance testing and monthly and 12-month rolling time period emission calculation records of all criteria pollutants and TACs listed in the Emission Limit Table for EUHMAPLANT. Additionally, PTI 19-11B requires monthly and 12-month rolling time period CO emission calculation records for FGFACILITY and make them available to the Department upon request, and keep individual and aggregate HAP emission calculations determining the annual emission rate of each in tons per 12-month rolling time period as determined at the end of each calendar month.

Mr. Bryan Rasmussen
Molon Asphalt
Page 3 of 3
August 24, 2020

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 15, 2020 (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, Cadillac District, at 120 West Chapin Street, Cadillac, Michigan 49601 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Molon Asphalt, 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 Molon Asphalt, Inc. 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,



Caryn E. Owens
Environmental Engineer
Air Quality Division
231-878-6688

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