

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
ACTIVITY REPORT: On-site Inspection

U41200421956475

FACILITY: Huyser Asphalt Paving & Sealcoating		SRN / ID: U412004219
LOCATION: , Grand Rapids		DISTRICT: Grand Rapids
CITY: Grand Rapids		COUNTY: KENT
CONTACT: Marc Buist ,		ACTIVITY DATE: 12/16/2020
STAFF: April Lazzaro	COMPLIANCE STATUS: Compliance	SOURCE CLASS:
SUBJECT: Unannounced, unscheduled inspection in response to a complaint.		
RESOLVED COMPLAINTS: C-21-00204		

Air Quality Division (AQD) staff, April Lazzaro and Materials Management Division (MMD) staff Wade O'Boyle met at 10:00 AM to conduct a joint inspection of Huyser Asphalt Paving and Sealcoating in response to a complaint regarding smoke and odors. This complaint was referred to the AQD by the U.S. EPA Regional Tip and/or Complaint system. An aerial evaluation indicated that there may be multi-media impacts and is why a joint inspection was conducted.

I left two phone messages at the number provided by the complainant and did not receive a return call. I also tried emailing at the email address provided, however it was returned "undeliverable".

FACILITY DESCRIPTION

Huyser Asphalt Paving and Sealcoating is a company that conducts installation of asphalt parking lots and driveways as well as providing asphalt sealcoating services.

COMPLIANCE EVALUATION

Mr. O'Boyle and I walked to access the site and conducted a visual inspection of the creek adjacent to the entrance drive along the way. As we entered the area to the east of the main site that consisted of a parking lot which housed vehicles with the company logo, a PVC pipe that appeared to be some sort of storm drain was observed. (see attached photo). Previous inspections conducted by department staff had not identified this pipe. No visible debris was observed, and a fence was present as a barrier to the creek in the main "yard" of the facility.

As we continued onto the main operations, I called the owner of the company a Mr. Jason Huyser, at the number on file. Mr. Huyser did not answer; however I left a detailed message identifying myself and stating that I was on site to conduct an inspection in response to a complaint about smoke and odors. We were met by an employee (James) in the yard who directed us to the shop where we met with Ken Engleman, Shop Manager.

We informed Mr. Engleman of our purpose to conduct a joint inspection and the reason being the complaint received. Mr. Engleman stated that they have been working with the trailer park on the other side of the creek for approximately 3 years in response to the occasional complaint from a resident. He detailed that they operate a Bagela BA 10,000 pavement recycling unit that does produce some smoke and odors. They utilize weather indicators (wind speed/direction) to base operation of the unit to reduce any impact to the trailer park residents to the south. They have also generated information pamphlets and have met with the park manager on

multiple occasions. This unit only operates during the colder times of the year when the asphalt plants are down, but there's no snow on the ground. Typically, this is a few months a year. We briefly discussed the PVC pipe outfall to the creek that was observed. He indicated that they were aware of it, but weren't sure if it was even active. I suggested that they observe the pipe during the next rainfall event to see if there is water flow and discharge to the creek. I indicated that they may be contacted by the Water Resources Division for follow up.

Other companies in Michigan operate the Bagela BA 10,000 pavement recycling unit. During an inspection and investigation into the unit in 2014 at a different asphalt company in the Grand Rapids area, I found that this common operation is exempt from permitting per Rule 290 across the state. However, while a permit is not required, it would still be subject to the AQD Rule 901 that prevents any smoke and odors generated by this equipment from causing an unreasonable interference of the comfortable enjoyment of life and property.

The Bagela BA 10,000 mixes virgin asphalt an additive/binder and crumb rubber and heats it to approximately 320°F to form a hot patch asphalt material. This unit has had a few small fires, but none that rendered it inoperable.

Mr. O'Boyle and I conducted a full site walk around, and he identified several areas that were subject to MMD Rules and Regulations and explained those to Mr. Engleman as items were observed. As we entered the area at the rear of the shop, several oil tanks were observed, as well as a large white tank that is used for storage of sealcoating liquid. At the time of the inspection, it became apparent that someone was inside the tank using a jack/air hammer for cleaning. Mr. Engleman confirmed that there was an employee inside the tank. As we watched, I looked for signs of confined space entry/permit documentation, or a spotter/observer for the employee in the tank. After observing none of those things, I asked Mr. Engleman if any confined space evaluation had been conducted, for example, air monitoring or requiring a spotter/attendant. He responded that they had not done an evaluation but there should be someone watching and there should be a fan inside. No one was present. I informed Mr. Engleman that he needed to remove the employee from the tank until the proper safety measures had been implemented. Mr. O'Boyle reiterated the safety concerns, and we stated that while it is not our jurisdiction, we would not allow the activity to continue. I also stated that I would immediately call the Michigan Occupational and Safety Administration (MIOSHA) if he was not removed.

Mr. Engleman removed the employee from the tank.

We continued our walk through and approached the Bagela BA 10,000 for an up-close visual inspection. There were totes of binder present with materials that had been spilled to the ground. Mr. O'Boyle provided education to Mr. Engleman regarding proper use of material and when it is spilled on the ground, it becomes a regulated waste.

At that time, we were met by Marc Buist, and we filled him in on everything that had been discussed up to that point, including the purpose of the inspection and the safety concerns regarding the tank cleaning operations. Mr. Buist was cooperative and ensured that Huyser Asphalt Paving and Sealcoating will address all concerns.

Following the inspection, I immediately sent Mr. Buist information via email that included a link to the MIOSHA webpage for confined space entry requirements. Later that day, Mr. O'Boyle also emailed Mr. Buist, and included a link to a confined space entry information video that explained some of the requirements and the reasons for enhanced worker safety requirements within those areas. The following day, I provided a general MIOSHA number to Mr. Buist in case he had additional questions.

COMPLIANCE EVALUATION

At the time of the inspection, Huyser Asphalt Paving and Sealcoating was in compliance with Air Quality Division regulations. The complaint regarding smoke and odors is considered resolved. However, if additional complaints are received, they will be investigated at that time.



Image 1(Bagela BA 10,000) : Asphalt recycling unit, likely cause of smoke and odor.



Image 2(PVC outfall) : Discharge point from property into creek.



Image 3(Sealcoat tank) : An employee is inside the tank, and is not pictured.

NAME April Lazzaro

DATE 12/29/2020

SUPERVISOR HH