



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
KALAMAZOO DISTRICT OFFICE



C. HEIDI GREYER
DIRECTOR

July 28, 2017

Mr. David Vaughn
Wyoming Asphalt Paving, Inc.
470 North 12th Street
Plainwell, Michigan 49080

SRN: N3626, Van Buren County

Dear Mr. Vaughn:

VIOLATION NOTICE

On July 17, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Wyoming Asphalt Paving, Inc. (Facility), located at Plopper Pit, 46th Street, north of 64th Street, Lawrence, Michigan. The purpose of this inspection was to determine the Facility 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) No. 301-88A.

During the inspection, staff of the AQD observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EUHMAPLANT	Special Condition 2.2 of PTI No. 301-88A	Facility could not verify that sulfur content of fuel oil used did not exceed 1.5% by weight.
EUHMAPLANT	Special Condition 4.1 of PTI No. 301-88A	EUHMAPLANT was operating without dust collector and scrubber maintained in a satisfactory manner.
FGFACILITY	Special Condition 6.1 of PTI No. 301-88A	Calculations were not completed in an acceptable format or by the 30th day of the month.
FGFACILITY	Special Condition 6.2 of PTI No. 301-88A	Monthly and 12 month rolling time period records of amount of hot mix asphalt (HMA) paving materials produced are not being kept.

FGFACILITY	Special Condition 6.3 of PTI No. 301-88A	Monthly and 12 month rolling time period carbon monoxide (CO) and particulate matter less than 10 microns in diameter (PM10) emission calculation records are not being kept.
FGFACILITY	Special Condition 6.4 a and b of PTI No. 301-88A	Monthly and 12 month rolling time period individual and aggregate hazardous air pollutant (HAP) emission mass balance calculation records are not being kept.

During this inspection, Material Safety Data Sheets (MSDS) or Safety Data Sheets (SDS) were requested for the fuel oil used in EUHMAPLANT. As of July 26, 2017, the Facility has been unable to produce the MSDS or SDS to verify that the sulfur content does not exceed 1.5 percent by weight.

This is a violation of the design and equipment parameters specified in Special Condition 2.2 of PTI No. 301-88A. The conditions of PTI No. 301-88A require the sulfur content of fuel oil used in EUHMAPLANT shall not exceed 1.5 percent by weight.

It was observed that the duct leading to the cyclone had holes in the joints. When the plant was operational, dust was continuously blowing out of these holes.

It was also observed that there was a hole in the scrubber. Water was leaving out from the bottom of the scrubber between the third tank and stack. The water had leaked so much that there was erosion along the path the water flowed.

This is a violation of the design and equipment parameters specified in Special Condition 4.1 of PTI No. 301-88A. The conditions of PTI No. 301-88A require the permittee shall not operate EUHMAPLANT unless the cyclone and wet venture scrubber are installed, maintained, and operated in a satisfactory manner.

Also during this inspection, the Facility was unable to produce emission records.

This is a violation of the recordkeeping and emission limitations specified in Special Conditions 6.2, 6.3, and 6.4 of PTI No. 301-88A. The conditions of PTI No. 301-88A require recordkeeping of HMA paving materials produced, CO, and PM10 emission

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calculations, individual, and aggregate HAP emission; and maintenance of records, which shall be made available for review upon request (e.g., maintenance of records, which shall be made available for review upon request by the AQD staff).

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by August 18, 2017 (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.

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 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 telephone number listed below.

Sincerely,



Amanda Chapel
Environmental Quality Analyst
Air Quality Division
269-567-3551

AC:CF

Enclosure

cc: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Christopher Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Mary Douglas, DEQ