



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

January 25, 2024

VIA EMAIL ONLY

Dave Benecke
The Gerken Companies
9072 CR 424
Napoleon, OH 43545

SRN: B7068, Lenawee County

Dear Dave Benecke:

VIOLATION NOTICE

On January 18, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), had an on-site meeting with Gerken Materials located at 2675 Treat Road, Adrian, Michigan. The purpose of this meeting was to determine whether the updated dryer/mixer located at Gerken Materials was exempt from needing a Permit to Install (PTI) per 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 PTI number 783-79G.

During the meeting, staff determined the following:

Process Description	Rule/Permit Condition Violated	Comments
225 ton per hour counter flow drum dryer/mixer	R 336.1201	The shell of the dryer/mixer was replaced, a new burner was installed, and a new blower system was installed without first obtaining a PTI.

During this meeting, it was noted that Gerken Materials had installed and commenced operation of unpermitted equipment at this facility. The AQD staff advised Gerken Materials on January 18, 2024, that this is a violation of Rule 201 of the administrative rules promulgated under Act 451.

A program for compliance may include a completed PTI application for the updated counter flow drum dryer/mixer process equipment. An application form is available by request, or at the following website: www.michigan.gov/air.

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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 violation and submit a written response to this Violation Notice by February 15, 2023 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; a summary of the actions that have been taken and are proposed to be taken to correct the violation 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 Brian Carley at EGLE, AQD, Jackson District, at 301 East Louis Glick Highway, Jackson, Michigan 49201 or CarleyB@michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Gerken Materials 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 violation cited above and for the cooperation that was extended to me during this on-site meeting with Gerken Materials. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Brian Carley
Environmental Quality Specialist
Air Quality Division
517-416-4631

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Scott Miller, EGLE
Brian Merle, EGLE