



GENERAL NOTICE OF VIOLATION No. 3-A000845

1904 3rd Avenue, Suite 105 Seattle, WA 98101 • p 206.343.8800 toll-free 800.552.3565

Case #:	Registration #: 16101	Violation #: 3-A000845
Violation Date: On or about Jan 26-27, 2023	Time:	Certified Mail #:
Violation Location (Address): 6431 NE 175th St		
City: Kenmore	Zip: 98028	County: King
Responsible Person (Name, Title): Coleman Hoyt, Environmental Compliance & Permitting Lead WA/OR		
Facility Name (If applicable): Cadman Materials, Inc. dba Cadman Material Inc		
Mailing Address: PO Box 97038		
City, State: Redmond, WA	Zip: 98073	Phone: (425) 766-7237

Violation of Regulations, WAC, etc.:

NC Order of Approval 11861 Cond 7 Total Particulate Matter shall not exceed 0.0116 gr/dscf (corrected to 7% oxygen) from the plant exhaust stack

NC Order of Approval 11861 Cond 8 Filterable Particulate Matter shall not exceed 0.0029 gr/dscf (corrected to 7% oxygen) from the plant exhaust stack

NC Order of Approval 11861 Cond 10 Emissions of Non-Methane/Non-Ethane VOC shall not exceed 0.032 lb/ton of hot mixed asphaltic concrete produced from the plant exhaust stack

NC Order of Approval 11861 Cond 11 Emissions of Carbon Monoxide shall not exceed 311.0 ppmvd (corrected to 7% oxygen) from the plant exhaust stack

NC Order of Approval 11861 Cond 12 Emissions of Oxides of Nitrogen shall not exceed 32.0 ppmvd (corrected to 7% oxygen) from the plant exhaust stack

Alleged Reason(s) for Violation:

Cadman Kenmore Plant source test report submitted to the agency on 3.28.23 shows failure to comply with the emission standards (excerpts below) for emissions of total particulate matter, filterable particulate matter, nonmethane/nonethane VOC, carbon monoxide, and oxides of nitrogen.

**Source Test Report for 2023 Compliance Testing
Cadman Kenmore Plant
Cadman Materials, Inc.
PSCAA Registration No: 16101
Lehigh Hanson West Region
Kenmore, WA 98028**

Prepared For:

**Cadman Materials, Inc.
6431 NE 175th St
Kenmore, WA 98028**

Prepared By:

**Montrose Air Quality Services, LLC
13585 NE Whitaker Way
Portland, OR 97230**

Order of Approval for NC No. 11861

EMISSION LIMITS

7. Total particulate matter emissions from the plant exhaust stack shall not exceed 0.0116 gr/dscf (corrected to 7% O₂) as measured by U.S. EPA Method 5 as modified by Puget Sound Clean Air Agency Board Resolution 540 dated August 11, 1983.
8. Filterable particulate matter emissions from the plant exhaust stack shall not exceed 0.0029 gr/dscf (corrected to 7% O₂) as measured by U.S. EPA Method 5 as modified by Puget Sound Clean Air Agency Board Resolution 540 dated August 11, 1983.

10. Emissions of Non-Methane/Non-Ethane VOC (NMNEVOC) shall not exceed 0.032 lb NMNEVOC per ton of hot mixed asphaltic concrete produced. Compliance with this limit shall be determined by the average of three 60-minute test runs performed in accordance with Section 3.07 of PSCAA Regulation 1 and using EPA reference methods 1, 3A, 4, and 25A (using either an FID with a methane "cutter", OR using EPA Method 320 or EPA Method 18 to analyze for methane and ethane, and subtracting the methane and ethane results from the total VOC measured by the FID analyzer) from Appendix A of 40 CFR Part 60. NMNEVOC shall be expressed as propane. Other equivalent test methods may be used with prior written approval of the Agency.
11. Emissions of carbon monoxide shall not exceed 311.0 ppmvd (corrected to 7% O₂) as determined by the average of three 60-minute test runs performed in accordance with Section 3.07 of PSCAA Regulation I and using USEPA reference methods 1, 3A, 4, and 10 from Appendix A of 40 CFR Part 60.
12. Emissions of oxides of nitrogen shall not exceed 32.0 ppmvd (corrected to 7% O₂) as determined by the average of three 60-minute test runs performed in accordance with Section 3.07 of PSCAA Regulation I using USEPA reference methods 1, 3A, 4, and 7E from Appendix A of 40 CFR Part 60.

CORRECTIVE ACTION ORDER: You must take the corrective action described below.

Within 10 days of the date you receive this Notice of Violation, submit a written report describing the action(s) you have taken to correct this violation and achieve compliance with Agency regulations.

Issued By: M McAfee **Date:** 5/8/2023
Melissa McAfee, Inspector, (206) 689-4056
MelissaM@psccleanair.gov

Received By: _____
Signature *Print Name* *Date*
(Signing is not an admission of guilt)

IMPORTANT: RESPONSE REQUIRED WITHIN TEN (10) DAYS

Do not ignore this Notice of Violation!

- Your violations may result in a civil penalty (monetary fine).
- Receiving a NOV does not necessarily mean you will receive a civil penalty, nor does correcting the violation ensure that you will not receive a civil penalty.
- Penalties are based on the information in our files, the corrective action you take, your written response to this NOV, and any other information you present to the Agency.
- If your violations are significant, the Agency may commence a court action against you and/or your business.
- If your violations continue, each day is considered a separate and distinct violation and may be subject to increased civil penalties.
- Details about penalty exclusions for unavoidable excess emissions are provided in WAC 173-400-107.

WITHIN TEN DAYS OF RECEIPT, YOU MUST RESPOND TO THIS NOV IN WRITING

Please include:

- Your name and/or business name
- Your address
- Mailing address (if different)
- NOV number (upper right hand corner of the NOV)
- What corrections you have made, or a schedule for making corrections
- What you will do to prevent future violations

Submit your written response to the Agency via US Mail, fax, or e-mail:

Puget Sound Clean Air Agency
1904 3rd Avenue, Suite 105
Seattle, WA 98101
Fax (206)343-7522
Inspection@pscleanair.gov

Need technical assistance or more time to respond?

Please contact the Inspector who issued this NOV (contact information on the front page).

Want a copy of the inspection report or other records from our files?

Please contact our Records staff: (206) 689-4040 or RecordsRequest@pscleanair.gov

Request copies of records via our web site:

<http://www.pscleanair.gov/RecordsRequest>

In addition to the required written response, you may also request a meeting with the Agency to:

- Discuss the circumstances of the violation
- Ask any questions you have
- Present any information the Agency may not have considered when issuing the NOV

YOU ALSO HAVE THE OPTION TO FILE AN APPEAL

You may file an appeal of the Corrective Action Order in this NOV. The Pollution Control Hearings Board (PCHB) hears appeals of orders and penalties issued by the Agency. The PCHB is independent and is not part of the Agency. The PCHB's function is to provide you a full and complete administrative hearing, as promptly as possible, followed by a fair and impartial written decision based on the facts and law.

Appeals must be sent to the PCHB and a copy of your appeal must be sent to the Agency within 30 days of your receipt of this NOV. For more information about how to file an appeal, what information must be included in an appeal, and what to expect from the appeal process, please contact the PCHB:

Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903
(360) 664-9160
Fax (360) 586-2253
eluho@eluho.wa.gov
<http://www.eluho.wa.gov/>

Complete information about appeal requirements is contained in state law (Chapter 43.21B RCW and Chapter 70.94 RCW) and in the PCHB regulations (Chapter 371-08 WAC). RCW and WAC are available online.