

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
ACTIVITY REPORT: Scheduled Inspection

B177445677

FACILITY: CLANCY EXCAVATING CO		SRN / ID: B1774
LOCATION: 29950 LITTLE MACK, ROSEVILLE		DISTRICT: Southeast Michigan
CITY: ROSEVILLE		COUNTY: MACOMB
CONTACT: Robert Clancy , Owner		ACTIVITY DATE: 08/09/2018
STAFF: Robert Joseph	COMPLIANCE STATUS: Non Compliance	SOURCE CLASS: MINOR
SUBJECT: Scheduled inspection of PTI 589-87A		
RESOLVED COMPLAINTS:		

On Thursday, August 9, 2018, I, Michigan Department Environmental Quality-Air Quality Division staff Robert Joseph and Joyce Zhu, attempted to conduct a scheduled inspection of Clancy Excavating Co. located at 29950 Little Mack Avenue, Roseville, MI 48066. The purpose of the inspection was to determine the facility's compliance with the requirements of the Federal Clean Air Act; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 Public Act 451 and Michigan Department of Environmental Quality-Air Quality Division (MDEQ-AQD) Administrative Rules and conditions of the facility's PTI 589-87A.

The facility was issued PTI 589-87 on February 10, 1988. This PTI required the installation and operation of a wheel wash system. A revised PTI, No. 589-87A, was issued on September 23, 2015. PTI No. 589-87A required the installation of rumble strips, as proposed by the company as replacement for the wheel wash system that was never installed. As of today, the facility still has not installed any type of sedimentation and soil trackout control system. Violation Notices were issued to the facility on August 26, 2014, June 3, 2016, July 6, 2016 and November 21, 2017. This matter has now been assigned to the Assistant Attorney General Charlie Cavanagh.

Opening Introduction

We arrived at the facility at approximately 10:30am and met with the facility receptionist, Cindy Laurence. We introduced ourselves and presented our identifications and credentials and stated the purpose of our visit. I asked Cindy if Mr. Robert Clancy, the owner, was available to give me an overview and tour of the facility. She indicated that Doug Clancy, Mr. Clancy's son, was onsite and operating a front loader in the yard. She contacted him via radio and then indicated that we could drive to the back of the facility and meet with him. As I drove to the back of the facility we were then stopped by Doug Clancy as he approached the vehicle.

I rolled the vehicle window down to speak to Doug. He then said, "You can get out of your vehicle and walk around; there's nothing to see here. Everything is fine. You're not allowed to drive back here and you're breaking the law, didn't you read the sign at the office? You need to make an appointment and you're not allowed to drive back here."

I then indicated to Doug that it is against AQD policy to walk around the facility without staff personnel to assist us, and that it is AQD policy to perform inspections unannounced. Doug indicated that we are not allowed to be on-site and that he is too busy. He repeated that there was nothing to see, and that if we didn't want to walk around alone then we should leave. I asked him, "are you kicking us out?" and he said, "yes."

Facility Inspection

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We then drove back to the main office to review the facility's records. I informed Cindy that I wanted to review the facility's records per the PTI. She provided me the facility's records to review. Only the sections below which were observed or verified per the PTI are listed below.

III. PROCESS/OPERATIONAL RESTRICTIONS

1. Appendix A is not being implemented and maintained. A complete inspection was not performed nor have rumble strips been constructed at each truck exit.

IV. DESIGN/EQUIPMENT PARAMETERS

2. Rumble strips have not been constructed at each truck exit.

V. TESTING/SAMPLING

1. USEPA Method 9 opacity readings were performed on July 23, 2015. Test results indicate readings to below the 10% opacity permit limit.

Appendix A

Nuisance Minimization Plan

I. Site Roadways/Plant Yard

Both appeared to be maintained with little to no fugitive dust present.

II. Truck Traffic

No truck traffic was observed, however, rumble strips still have not been installed.

IV. Record Keeping

The facility provided records for applications of dust suppressants, roadway sweepings and plant yard sweepings. In addition, the facility provided a log recording the amount of material processed through the crushing plant.

The facility records indicate that October 16 was largest production day in 2017 with 900 tons processed. The facility also provided records of water with chloride applications during production months.

Conclusion

Clancy Excavating is not in-compliance with the requirements of the Federal Clean Air Act; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 Public Act 451 and Michigan Department of Environmental Quality-Air Quality Division (MDEQ-AQD) Administrative Rules and conditions of the facility's PTI 589-87A. The facility

has maintained the required record keeping, however, the facility is not in-compliance with the conditions of its permit regarding the installation of rumble strips. The facility prohibited a full compliance evaluation from being performed. This constitutes a violation of Act 451 and a Violation Notice will be issued.

NAME Robert JosephDATE 08/16/18SUPERVISOR SK