



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



KEITH CREAGH
DIRECTOR

July 6, 2016

Mr. Robert Clancy
Clancy Excavating Company
29950 Little Mack
Roseville, Michigan 48066-2241

SRN: B1774, Macomb County

Dear Mr. Clancy:

SECOND VIOLATION NOTICE

On May 23, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Clancy Excavating Company (Clancy), located at 29950 Little Mack, Roseville, Michigan. The purpose of the inspection was to determine Clancy's compliance with the requirements of the federal Clean Air Act; and Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; the administrative rules; and the conditions of Permit to Install (PTI) No. 589-87A issued on September 23, 2015.

On June 3, 2016, the AQD sent Clancy a Violation Notice citing violations discovered as a result of the inspection and requested your written response by June 24, 2016. A copy of that letter is enclosed for your reference. On June 24, 2016, the DEQ, AQD, received Clancy's response letter dated June 21, 2016. The compliance plan included in the letter is inadequate and incomplete.

Please be advised that failure to respond in writing and identifying actions Clancy will take or has taken to resolve the cited violations may result in escalated enforcement action by the AQD. Please provide the information requested in our June 3, 2016, letter by July 25, 2016.

Again, at a minimum, the written Violation Notice response should include the following:

1. Date when engineering design of the rumble strips pad will be completed. Please provide detailed design information upon its completion.
2. Date when contract for construction will be signed.
3. Date when all construction will be completed and when the rumble strips pad will be ready for use.

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At each stage, please provide a written description of tasks accomplished. According to PTI No. 589-87A dated September 23, 2015, the rumble strips should have been installed within 90 days of September 23, 2015. Based upon a wealth of experience at other crushing facilities, which have installed, maintained, and operated rumble strips at truck exits, the strips control track out fugitive dust if designed and operated properly.

Be further advised that issuance of this Violation Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under state or federal law as appropriate.

If you have any questions regarding the violations or the actions necessary to bring Clancy into compliance, please contact me at the telephone number listed below.

Sincerely,

Handwritten signature of Iranna Konanahallii in cursive, followed by the word "for" in a smaller font.

Iranna Konanahallii
Senior Environmental Engineer
Air Quality Division
586-753-3741

konanahallii@michigan.gov

Enclosure

cc: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Ms. Heidi Hollenbach, DEQ
Mr. Thomas Hess, DEQ
Mr. Christopher Ethridge, DEQ