



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



LIESL EICHLER CLARK  
 DIRECTOR

GRETCHEN WHITMER  
 GOVERNOR

June 19, 2019

Mr. Thomas Spurgeon  
 Administrative Director  
 Drayton Iron & Metal  
 5229 Williams Lake Road  
 Waterford, MI 48329

SRN: B5465, Oakland County

Dear Mr. Spurgeon:

**VIOLATION NOTICE**

On June 4, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted a complaint investigation of Drayton Iron & Metal located at 5229 Williams Lake Road, Waterford, Michigan. The purpose of this investigation was to determine Drayton Iron & Metal'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 PA 451, as amended (Act 451); the Air Pollution Control Rules; and to investigate a complaint which the AQD received on May 24, 2019, alleging that Drayton Iron & Metal performed a mass burn of plastic and other trash debris which polluted the surrounding environment.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Torch cutting of metal pieces. There are two separate torch cutting stations.	R 336.1201 (Rule 201)	Torch cutting emissions are not released to the general in-plant environment or through an appropriately designed and operated enclosure and fabric filter.

During this inspection, it was noted that Drayton Iron & Metal had installed and commenced operation of unpermitted equipment at this facility. The AQD staff advised Drayton Iron & Metal on June 7, 2019, 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 torch cutting equipment. An application form is available by request, or at the following website: [www.michigan.gov/egleair](http://www.michigan.gov/egleair) (in the shaded box on the upper right-hand side of the page).

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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.

Alternatively, this process may be exempt under Michigan Air Pollution Control Rule, **R336.1285 (2)(j)(ii)** which states, in part:

***R 336.1285 Permit to install exemptions; miscellaneous.***

*Rule 285. (1) This rule does not apply if prohibited by R 336.1278 and unless the requirements of R 336.1278a have been met.*

*(2) The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:*

*(j) Portable torch cutting equipment that does not cause a nuisance or adversely impact surrounding areas and is used for either of the following:*

*(ii) Scrap metal recycling and/or demolition activities that have emissions that are released only into the general in-plant environment and/or that have externally vented emissions equipped with an appropriately designed and operated enclosure and fabric filter.*

If Drayton Iron & Metal decides to operate pursuant to this exemption Rule (**R336.1285 (2)(j)(ii)**), then the company must ensure that torch cutting emissions are released only into the general in-plant environment or have emissions vented to an appropriately designed and operated enclosure and fabric filter. Additionally, to qualify for this exemption, torch cutting emissions cannot impact the surrounding area and/or cause a nuisance to neighbors.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by July 10, 2019 (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; whether the violation is ongoing; 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 EGLE, AQD, Southeast Michigan District, at 27700 Donald Court, Warren, Michigan 48092 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

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If Drayton Iron & Metal 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 my investigation of Drayton Iron & Metal. 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,



Adam Bognar  
Environmental Engineer  
Air Quality Division  
586-753-3744

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Christopher Ethridge, EGLE  
Ms. Joyce Zhu, EGLE