



STATE OF MICHIGAN  
 DEPARTMENT OF ENVIRONMENTAL QUALITY  
 SOUTHEAST MICHIGAN DISTRICT OFFICE



RICK SNYDER  
 GOVERNOR

DAN WYANT  
 DIRECTOR

December 4, 2015

Mr. R.J. Orozco  
 State Crushing Inc.  
 2260 Auburn Road  
 Auburn Hills, Michigan 48326

SRN: N3171, Oakland County

Dear Mr. Orozco:

**VIOLATION NOTICE**

On October 12, 2015 and November 30, 2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of State Crushing Inc. located at 2260 Auburn Road, Auburn Hills, Michigan. The purpose of this inspection was to determine State Crushing'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 administrative rules and the conditions of Permit to Install (PTI) number 936-91 and to investigate a complaint which we received on October 2, 2015, regarding fugitive dust attributed to State Crushing's operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Crushing operations	R 336.1201	Installed the following crushers without obtaining a Permit to Install: 1. Telsmith Inc. primary crusher (serial number 505M 2495) with a maximum capacity of 600 tons/hr on February 4, 1996. 2. Eagle Crusher Company Inc. primary/secondary crusher (serial number 30766) with a maximum capacity of 300 tons/hr in late 2010 or early 2011.
Crushing operations	40 CFR 60 Subpart OOO	Failure to comply with the applicable requirements of 40 CFR 60 Subpart OOO, including but not limited to, conducting an initial performance test according to §60.11 and §60.675 and submitting written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672

**- NSPS**

This process appears to be subject to the federal Standards of Performance for New Sources (NSPS) for Nonmetallic Mineral Processing Plants. These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart 000.

**- RULE 201 VIOLATION**

During this inspection, it was noted that State Crushing Inc. had installed and commenced operation of an unpermitted crusher manufactured by Telsmith Inc. on February 4, 1996 and an unpermitted crusher manufactured by Eagle Crusher Company Inc. on April 1, 2008 at this facility. The AQD staff advised State Crushing Inc. on December 1, 2015 that this is a violation of Act 451, Rule 201.

A program for compliance may include a completed PTI application for the Telsmith Inc. crusher and Eagle Crusher Company Inc. crusher process equipment. An application form is available by request, or at the following website: [http://www.deq.state.mi.us/aps/nsr\\_information.shtml](http://www.deq.state.mi.us/aps/nsr_information.shtml)

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.

**- RESPONSE/COMPLIANCE PROGRAM/CONCLUSION**

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by December 28, 2015 (which coincides with 24 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

If State Crushing Inc. 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 inspection of October 12, 2015 and November 30, 2015. 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,



Kerry Kelly  
Environmental Quality Analyst  
Air Quality Division  
586-753-3746

cc/via e-mail: Ms. Lynn Fiedler, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Ms. Teresa Seidel, DEQ  
Mr. Thomas Hess, DEQ  
Mr. Christopher Ethridge, DEQ