



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

January 27, 2022

Mr. Doug Lectka  
DC Byers Company  
5946 Clay Avenue SW  
Grand Rapids, Michigan 49548

SRN: N6637, Kent County

Dear Mr. Lectka:

**VIOLATION NOTICE**

On January 12, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of DC Byers Company located at 5946 Clay Avenue SW, Grand Rapids, Michigan. The purpose of this inspection was to determine DC Byers Company'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 the conditions of Permit to Install (PTI) number 280-99.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EUSANDBLAST	PTI No. 280-99, General Condition 13; Rule 370(1) (R 336.1370(1))	Failure to properly dispose of an air contaminant.
EUSANDBLAST	PTI No. 280-99, Special Condition No. 5	Failure to maintain 12-month rolling records of sand usage.

During the compliance inspection, AQD staff found that DC Byers Company was applying waste sandblasting sand onto the ground. Visual observations indicated it was also blowing around and becoming an air contaminant. This is a violation of PTI No. 280-99, General Condition 13 and Rule 370(1) which states that the collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of contaminants to the outer air. It was also noted that while DC Byers had individual receipts of sand purchases, this information was not maintained in a 12-month rolling total format as required by PTI No. 280-99, Special Condition No. 5.

Additionally, a person who generates a solid waste must determine if that waste is a hazardous waste (Part 111 Rule 302 & 311 & 40 CFR 262.11 & 268.7(a)). Characterizations can be done utilizing knowledge of the waste which can include material safety data sheets and the process generating the waste stream or the waste stream can be characterized through analytical testing. The test typically done is the toxicity characteristic leaching procedure (TCLP) test. Characterization documentation is subject to record retention requirements.

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Section 11509 and 11512 of Part 115, Solid Waste Management of the Natural Resources and Environmental Protection Act (NREPA), PA 451 1994, as amended (Part 115) requires disposal of solid waste at a properly permitted and licensed disposal facility. Solid waste may not be legally buried and/or burned.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by February 17, 2022 (which coincides with 21 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.

Please submit the written response to EGLE, AOD, Grand Rapids District, at 350 Ottawa Avenue NW, Unit 10, Grand Rapids, Michigan 49503 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AOD, P.O. Box 30260, Lansing, Michigan 48909-7760.

The AOD also requests that DC Byers conduct a full maintenance inspection of the operational adequacy of the cartridge filter collector system (including ductwork, metal integrity of the body of the collector system and the number of filters present and their condition) to demonstrate compliance with PTI No. 280-99 within 30 days of this letter. A full report of the findings shall be submitted to the AOD within 15 days following the inspection.

If DC Byers Company 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 violations cited above and for the cooperation that was extended to me during my inspection of DC Byers Company. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



April Lazzaro  
Senior Environmental Quality Analyst  
Air Quality Division  
616-558-1092

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Christopher Ethridge, EGLE  
Ms. Heidi Hollenbach, EGLE  
Mr. Fred Sellers, EGLE