



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
KALAMAZOO DISTRICT OFFICE



C. HEIDI GRETHUR
DIRECTOR

May 3, 2017

Mr. Dale Klett
Klett Recycle, Inc.
62994 Territorial Road
Hartford, Michigan 49057

SRN: N6804, Portable

Dear Mr. Klett:

VIOLATION NOTICE

On April 26, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted a complaint investigation of B & Z Excavating and Klett Recycle, located at 1812 Riverside Road, Benton Harbor, Michigan. The purpose of this investigation was to determine 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 recent complaint that the DEQ, AQD, received on April 24, 2017, regarding fugitive dust attributed to mining and concrete crushing operations.

During the inspection, staff of the AQD observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Non-metallic mineral crushing	Special Condition V.5.b under the Allowed Modification Section of Permit to Install No. 145-00.	See Comment 1 below
Non-metallic mineral crushing	Attachment A of Permit to Install No. 145-00.	See Comment 2 below

Comment 1: Klett Recycle was using their portable crusher to process concrete at the location without having an up to date Relocation Notice submitted to the AQD. The most recent Relocation Notice on file, where it was stated they would be processing material at this location, indicated it was going to be happening between November 14, and December 16, 2016.

Comment 2: Staff of the AQD observed a large amount of dust being generated by the concrete crushing process (mostly from the loader operations). Klett Recycle does not appear to be following the Fugitive Dust Plan requirements that are included as Attachment A of Permit to Install No. 145-00.

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Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by May 30, 2017. 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 Klett Recycle 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. If you have any questions regarding the violations or the actions necessary to bring Klett Recycle into compliance, please contact me at the telephone number listed below.

Sincerely,



Matt Deskins
Environmental Quality Analyst
Air Quality Division
269-567-3542

MD:CF

cc: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Christopher Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Mary Douglas, DEQ