



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

May 10, 2022

Ben Hunderman
Rocky-Top Sand & Gravel LLC
7029 Homerich Avenue SW
Byron Center, Michigan 49315

Dear Ben Hunderman:

SUBJECT: SRN: P0143, Facility Address: 91 141st Avenue Wayland, Michigan 49348

VIOLATION NOTICE

In January 2022, the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), notified Rocky-Top Sand & Gravel LLC of the requirement to submit a 2021 air pollution report, with the required submittal date of March 15, 2022, which was extended to March 25, 2022. In response to the non-submittal of this report, a second letter was sent on April 7, 2022, requesting immediate submittal of the Michigan Air Emissions Reporting System (MAERS) forms required pursuant to Rule 202 of the administrative rules promulgated under Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. A copy of the April 7, 2022, letter is enclosed for your reference.

At this time, we still have not received Rocky-Top Sand & Gravel LLC MAERS reporting forms and SCT and you are hereby notified that this constitutes a violation of the above referenced act and rule. Please submit the MAERS reporting forms within (14) days of the date of this letter.

If Rocky-Top Sand & Gravel LLC 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.

Ben Hunderman
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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 this facility into compliance, please contact me at the number listed below.

Sincerely,

A handwritten signature in black ink that reads "Cody Yazzie". The signature is written in a cursive, slightly slanted style.

Cody Yazzie
Environmental Engineer
Air Quality Division
269-312-2754

cc: Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Jenine Camilleri, EGLE
Christopher Ethridge, EGLE
Rex Lane, EGLE