



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

August 17, 2022

Arden Shell
Arden Shell Trucking & Excavating LLC
2596 Weber Road
Gladwin, Michigan 48624

David Conlon
D & L Equipment
3203 Brooklyn Road
Jackson, Michigan 49203

SRN: P0146, Clare County

Dear Arden Shell and David Conlon:

VIOLATION NOTICE

On March 23, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), Bay City District Office Staff, became aware of a crusher operating without the necessary air Permit to Install (PTI) at the Clare County Road Commission, 3900 East Mannsiding Road, Harrison, Michigan. Upon investigation, AQD staff confirmed a crusher was being operated at the location by Arden Shell Trucking & Excavating LLC. In conversations with Arden Shell Trucking & Excavating LLC, it was disclosed the crusher was being leased and the job would be completed in a month or less. Arden Shell Trucking & Excavating LLC was made aware that a PTI was required to be obtained prior to crusher operation and need be obtained for all future crusher activities.

According to our investigation, D & L Equipment owns the crusher that was operated in March 2022 and again in July 2022, and Arden Shell Trucking & Excavating LLC operated the crusher without obtaining the necessary air Permit to Install.

EGLE, AQD alleges the following violation:

Process Description	Rule/Permit Condition Violated	Comments
Operating a crusher without an air Permit to Install	Rule 201	Arden Shell Trucking & Excavating LLC operated a crusher owned by D & L Equipment without obtaining an air Permit to Install

Arden Shell / David Conlon
Arden Shell Trucking & Excavating LLC / D & L Equipment
Page 2
August 17, 2022

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. An application form is available by request, or at the following website: www.michigan.gov/air.

Arden Shell Trucking & Excavating LLC and D & L Equipment, each individually please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by September 7, 2022 (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.

Both parties, please submit the written response to EGLE, AQD, Bay City District at 401 Ketchum Street, Suite B, Bay City, Michigan 48708 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Arden Shell Trucking & Excavating LLC or D & L Equipment 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. 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,



Nathanael Gentle
Environmental Quality Analyst
Air Quality Division
989-778-0025

cc: Mary Ann Dolehanty, EGLE
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Chris Hare, EGLE
David Bondie, Clare County Road Commission