

P0358 - RVN - 2018 08 20 - 1/2018



6715 Maplewood Avenue  
Sylvania, Ohio 43560  
Local 419-841-3232  
Fax 419-882-8772

www.NRMmining.com

August 20, 2018 via: electronic Mail and Certified Mail

**Air Quality Division  
Michigan Department of Environmental Quality  
301 East Louis Glick Highway  
Jackson, MI 49201-1556**

**Attention:** Mr. Mike Kovalchick

**Reference:** MDEQ Notice of Violation SRN P0358  
Site-Visit and Findings

RECEIVED  
MDEQ - JACKSON

AUG 22 2018

AIR QUALITY DIVISION

Dear Mr. Kovalchick,

On behalf of Kraken Crushed Concrete, Natural Resources Management, LLC (NRM) conducted a site visit and investigation at the 7871 Chubb Road facility in Northville, MI in response to a Notice of Violation letter received from the Michigan Department of Environmental Quality (MDEQ) on 8/2/2018.

During the site visit, NRM observed the following:

- A Geoexplorer 6000 Series Trimble unit was used to measure the corner of the commercial business on the east side of Chubb Road (Northing: 330998.82ft, Easting: 13338796.54ft, Elevation: 930.3ft) and the corner of the crushing plant (Northing: 330853.97ft, Easting: 13338303.35ft, Elevation: 932.7ft). The distance between these two points was measured as 514.1-ft.
- The conveyor stacker was measured as 15-ft 6-in and the stacker was on its lowest position. See the photos presented in appendix I.

In the NOV referenced above, Violation number 1 of PTI 13-16 Condition # 1.13 (c) states "Crusher/crushing plant located less than 500 feet from a commercial business on the East side of Chubb road as measured using Google Earth aerial photo". Upon review of PTI 13-16 Condition # 1.13 (c) we noted it states "crusher(s) shall be located a minimum of 500 feet from any residential or commercial establishment or place of public assembly". The description of the Flexible Group ID FGCRUSHING in attachment A special conditions, suggest that the crusher is a component of the mineral crushing facility and Condition #1.13 only pertains to the crusher and not the entire mineral crushing facility. The NRM representative used a Trimble unit with accuracy using NAD 83 state plane coordinate system to measure the distance between the crusher and the commercial business on the East side of Chubb Road. An email reply was forwarded to us from you that indicated that you needed the exact distance from the crusher to the commercial building is the correct distance to use. Based on the measured distance and the wording in Condition # 1.13 (c) Kraken Crushed Concrete & Recycling LLC does believe they were in violation of this condition at the time of the inspection, and therefore we request the violation be rescinded.

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Violation number 2 of PTI 13-16 Appendix A. Fugitive Dust Control Plan IV. Storage Piles (a) states "Excessive drop distance of one of the conveyor's exit points to the ground generating dust". Upon review of PTI 13-16 Appendix A fugitive dust control plan IV. storage piles (a) states "Stockpiling of all nonmetallic mineral shall be performed to minimize drop distance and control potential dust problems". During the site visit the representative from NRM noted that the stacker conveyor was set at its lowest position possible (see appendix I) which according to the representatives of Kraken Crush Concrete was not changed since the inspection. Since Kraken Crushed Concrete minimized the drop distance at the time of the inspection, they do not believe they were in violation at the time of the site inspection and respectfully request the notice of violation be rescinded. Kraken will continue to keep the minimum drop distance during use of the equipment.

We trust this response is sufficient. Please contact us regarding any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ross A. Mellgren", with a long horizontal flourish extending to the right.

Ross Mellgren  
Natural Resources Management, LLC

cc: Mr. Tony Calo, Calo and Sons Construction, Inc.  
7871 Chubb Rd.  
Northville, Michigan 48168

Ms. Jenine Camilleri, MDEQ, AQD P.O. Box 30260, Lansing, MI 48909-7760

## **Appendix I**





