

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
AIR QUALITY DIVISION  
ACTIVITY REPORT: Scheduled Inspection**

P053333510

FACILITY: L & L CONSTRUCTION CO		SRN / ID: P0533
LOCATION: 4195 WILLOUGHBY ROAD, HOLT		DISTRICT: Lansing
CITY: HOLT		COUNTY: INGHAM
CONTACT: Larry Gathman, Owner		ACTIVITY DATE: 11/13/2015
STAFF: Daniel McGeen	COMPLIANCE STATUS: Compliance	SOURCE CLASS: MINOR
SUBJECT: Unannounced, scheduled inspection, to verify that leased crusher removed from site. The crusher had been removed, and PTI No. 109-14 was subsequently voided.		
RESOLVED COMPLAINTS:		

On 11/13/2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an unannounced, scheduled inspection of L & L Construction, at 4195 Willoughby Road, in Holt. The purpose was to verify that the leased portable non-metallic mineral crusher permitted under general Permit to Install (PTI) No. 109-14 had been removed, so the permit could be voided.

**Environmental contact:**

Larry Gathman, Owner; 517-694-9979; [ehannasch@aol.com](mailto:ehannasch@aol.com)

**Emission unit:**

Emission unit	Permit to Install No.	Compliance status
Non-metallic mineral crushing facility	109-14	Removed from site, permit to be voided

**Regulatory overview:**

On 8/19/2014, L & L Construction received approval for a general PTI, No. 109-14, for a leased portable crusher. This PTI was still active on 11/13/2015, the date of the inspection, but was voided on 11/23.

The 8/19/2014 cover letter for the permit, and the permit application itself, stated that portions of the plant were subject to 40 CFR Part 60, Subpart OOO, Performance Standards for Non-Metallic Mineral Processing Plants. The components of this plant which were subject were the jaw crusher (Device ID No. P23), transfer conveyor (ID No. C53), cone crusher screen (ID No. P58), and the magnet conveyor (ID No. C56).

**Fee status:**

Upon issuance of the PTI, this facility was considered Category II fee-subject, because of the permitted portable crusher being subject to 40 CFR Part 60, Subpart OOO. Following the inspection, the permit was voided, though, and the facility is no longer fee-subject. The facility is still required to report annual air emissions for the crusher for 2015, via the Michigan Air Emission Reporting System (MAERS). It is my understanding that L & L Construction's consultant, FTC&H, will be completing and submitting the report for them, on or before the 3/15/2016 due date.

**Recent history:**

On 10/26/2015, a permit void request letter was sent to the AQD, by Mr. Larry Gathman, Owner of L & L Construction. AQD had planned to do an inspection of L & L Construction during the current fiscal year, but did this inspection sooner than planned, so the permit could be voided.

**Arrival:**

I arrived at the 4195 Willoughby Road location, during the mid- to late morning. The door to the office was locked, and the site appeared deserted. Since I was not able to contact anyone, I was unable to

provide a copy of the DEQ brochure *Environmental Inspections: Rights & Responsibilities*; which is the standard AQD procedure, during inspections.

**Inspection:**

From the parking lot, and from the driveway at the site entrance, I could see no portable crusher. This appeared to me to be in keeping with the permit void request letter.

I returned to the site 15 minutes later, and the office was still closed and locked. I returned a final time, at 2:31 PM. The office was still locked. I glimpsed a vehicle as it exited the site, but was not able to get their attention. I did not see any other personnel at the site, and left the area.

**Follow up:**

Following the date of the inspection, I requested that the AQD Permit Section void PTI No. 109-14. It was voided on 11/23/2015, and a letter to this effect was sent to Mr. Gathman.

Note: AQD does not have a record of visible emission testing being conducted on this plant for the equipment which was subject to 40 CFR Part 60, Subpart OOO. PTI No. 109-14 contained Special Condition No. 1.8, requiring visible emission testing, but this is the responsibility of the actual owner of the equipment, rather than that of L & L Construction, who was leasing it. AQD will not enforce this permit condition, as the permit has been voided, but AQD will monitor the situation, if this crusher is issued a new permit, in the future.

**Conclusion:**

Although I was not able to enter the site, I saw no sign of the leased portable crusher. No instances of noncompliance were found, and on 11/23/2015, PTI No. 109-14 was voided.

NAME [Signature]

DATE 3/2/2016

SUPERVISOR B. M.