



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

July 12, 2023

Gregg Weber, President
Weber Sand & Gravel Inc.
1401 East Silverbell Road
Lake Orion, Michigan 48360

SRN: P0539, Shiawassee County

Dear Gregg Weber:

VIOLATION NOTICE

On June 21, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Weber Sand & Gravel Inc.'s portable crusher (Weber Sand & Gravel) located at 8134 W. County Line Road, New Lothrop, Michigan. The purpose of this inspection was to determine Weber Sand & Gravel's 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 the conditions of site-specific Permit to Install (PTI) number 69-23; and to investigate a recent complaint which we received on June 20, 2023, regarding fugitive dust attributed to Weber Sand & Gravel's operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Portable mineral processing plant	PTI 69-23, EUPROCESS Special Condition (SC III.2	The plant was operating without the nuisance minimization plan for fugitive dust specified in Appendix B being followed.
Portable mineral crushing plant	PTI 69-23, EUPROCESS SC IV.1	Specified control devices in Appendix A for EUPROCESS were not being operated in a satisfactory manner.
Plant roadways and plant yard	PTI 69-23, EUTRUCKTRAFFIC SC III.1	The plant roadways and yard were being used without the nuisance minimization plan for fugitive dust in Appendix B being followed.
Raw material storage pile	PTI 69-23, EUSTORAGE SC III.1	Storage pile for raw materials was used without the nuisance minimization plan for fugitive dust in Appendix B being followed.

Upon arrival at the site, the AQD staff observed that the plant was operating with no water being used for the nonmetallic mineral crushing plant, and no water or other approved dust suppressant being used for the plant roadways or yard. This was in violation of PTI 69-23, EUPROCESS SC III.2, which states:

“The permittee shall not operate EUPROCESS unless the nuisance minimization plan for fugitive dust for all plant roadways, the plant yard, all material storage piles, and all material handling operations specified in Appendix B is implemented and maintained.”

The table in Appendix A of PTI 69-23 lists individual pieces of equipment, and the associated control device, such as water sprays or residual moisture. Water was not being used for the plant. This was in violation of PTI 69-23, EUPROCESS SC IV.1, which states:

“The permittee shall not operate any portion of EUPROCESS unless the equipment’s specified control device is installed, maintained, and operated in a satisfactory manner as listed in Appendix A.”

Loader traffic was operating with periodic excessive opacity, without water or other approved dust suppressant being used to control dust from the plant roadways or the plant yard. This was in violation of PTI 69-23, EUTRUCKTRAFFIC SC III.1, which states:

“The permittee shall not operate EUTRUCKTRAFFIC unless the nuisance minimization plan for fugitive dust for all plant roadways, the plant yard, all material storage piles, and all material handling operations specified in Appendix B has been implemented and maintained.”

Visible emissions were excessive when concrete from the raw material storage pile was fed into the feeder for the crusher, as water had not been used to minimize dust from the raw material pile. This was in violation of PTI 69-23, EUSTORAGE SC III.1, which states:

“The permittee shall not operate EUSTORAGE unless the nuisance minimization plan for fugitive dust for all plant roadways, the plant yard, all material storage piles, and all material handling operations specified in Appendix B has been implemented and maintained.”

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by August 2, 2023, (which coincides with 21 calendar days from the date of this letter). 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.

Please submit the written response to EGLE, AQD, Lansing District, at Constitution Hall, First Floor South, P.O. Box 30242, Lansing, Michigan 48909 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Weber Sand & Gravel 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.

Gregg Weber
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Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my inspection of Weber Sand & Gravel. 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,



Daniel A. McGeen
Environmental Quality Analyst
Air Quality Division
517-648-7547

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Robert Byrnes, EGLE