

DEPARTMENT OF ENVIRONMENTAL QUALITY  
AIR QUALITY DIVISION  
ACTIVITY REPORT: Self Initiated Inspection

8150532329894	
FACILITY: Fouss Gravel Company	SRN / ID: U781505323
LOCATION: 777 Busha Road	DISTRICT: Lansing
CITY: Owosso	COUNTY: SHIAWASSEE
CONTACT: Jim Fouss, Owner	ACTIVITY DATE: 06/17/2015
STAFF: Nathaniel Hude	COMPLIANCE STATUS: Pending
SOURCE CLASS:	
SUBJECT: Was informed by water division that company had a gravel crusher onsite. Contacted owner and scheduled an inspection.	
RESOLVED COMPLAINTS:	

**Inspection Report**

U781505323- Fouss Gravel Company  
777 Busha Road, Owosso, Michigan

**Inspection Date:**

6/17/15

**Facility Contacts:**

Jim Fouss, Owner / Manager – 989-729-6939, no email available

**MDEQ AQD Personnel:**

Nathan Hude – 517-284-6779, [huden@michigan.gov](mailto:huden@michigan.gov)

**Facility Description:**

Fouss Gravel is a family owned gravel pit that sells to product to contractors and the general public. The location is west of the City of Owosso approx. 3 miles and 1 mile south of M21. There is no obvious signage for the site until turning onto Busha Road.

They have been mining out of the largest pit for nearly 70 years. A drain is connected to this pit and the pit is then connected to the Maple River. The DEQ Water Division was concerned about the drain and conducted an inspection. While on site, they noticed a cement crusher and notified us. This inspection was conducted in response to their finding. The site does not have a permit for the crusher.

**Applicable Regulations:**

1. General Permit is recommended
2. 40CFR60 Subpart 000- Nonmetallic Mineral Crushing Plants does not apply to this crusher due to being portable and a capacity of less than 150 tons per hour 60.670 (b)(2).

**Key Concerns:**

1. No inspection on record for facility, unknown crusher onsite.
2. Permit is required for crusher and is being sought by Jim Fouss.

**Emission Unit Summary Table**

None.

**Inspection Summary**

After notification by Water Division, I called Jim. I informed him of why I was calling and scheduled an appointment to meet with him the next day, June 17, 2015.

On the 17<sup>th</sup>, I arrived at 1300. Upon arrival, I noticed that a gravel washer was operating and did not see any VE's from anywhere on the site. I went to the office and was introduced to Jim. We discussed the site for some time in the office area. He stated his family had been operating for 70 years at that pit and they employed approx. 16 individuals mostly family. He stated that he rarely uses the crusher and estimated its use to be about 1-5 times per year for stone only. Jim stated that he has concrete dumped onsite, but does not crush it due to its size usually being bigger than what his crusher can handle.

We drove back in the state vehicle to the crusher location. I was piles of uncrushed stone and a pile of

uncrushed concrete near the location. While looking at the concrete, I saw tiles attached to a couple of pieces. I informed Jim that the tiles may contain asbestos and told him that he should not to accept concrete with tile on it unless he knew the rules and abided by them.

The crusher itself looked quite antiquated. It had been painted grey in the past and although portable, was in no shape or position to be moved. Jim said he purchased the used crusher in Milwaukee, WI around 1990. It is a jaw bone type crusher, the only information we could find on it is the following: on the fly wheel "Wisconsin Foundry & Machine CO", on the side 18x38 Badger and FCC654(or possibly A rather than 4). Jim believed it to be a 1970 model and stated its max feed was stone 18" long which is then crushed to 4". He stated that in no way could it crush 150 tons/hr but said the very maximum would be 100 tons/hr. Given the age of the crusher and the capacity, I used 60.670 (c)(2) as the exemption for 40CFR60 Subpart OOO.

The crusher was then connected by conveyer to an Allis Chalmers 45 Hydro-cone crusher. This crusher reduces the 4" product down to a 1" product. The data plate was painted over yet the following information could be read: on base 17-00157-02. One of Jims workers gave us the following information: Year- 1981, Serial Number B58941, and Size/Model 9-45.

From the hydro-crusher the product went to a screen. This information was all readable on the equipment: Universal Handling Petibone, Model 6416-F-3-4-0, Serial Number 805-287C.

Near this equipment was an old anhydrous ammonia nurse tank which Jim told me was used as a water mist supply tank during operation. Jim stated that they use it because he and his employees do not like breathing in dust more than anyone else.

We then went back to his office to discuss the regulations. I provided Jim with copies of 40CFR60 Subpart OOO, the general permit for non-metallic crushers (including permit application), and rules 301 and 331. I informed him that I believed he was exempt of Subpart OOO, but it would be in his best interest to obtain a permit. He could technically claim exemption under rule 290 due to use of water mist and the amount of product crushed, yet obtaining a permit would allow him to crush as desired and not restrict him if there was an increase in product need. He agreed that a permit would be in his best interest and stated he would begin filling out the paperwork to obtain one. He also stated that he may one day need to use his crusher at his Grand River pit, to which I explained to him the EQP5757 Relocation Notice which was also included in the packet provided.

Jim also provided me a copy of product sold for all of 2014 and thus far in 2015. His total crushed stone sold for 2014 was 1,146.55 tons, no crushed concrete was listed. His total crushed stone sold thus far for 2015 was 419.07 tons, no crushed concrete was listed.

Below calculations are using product demand for production in 2014:

- using a 300 days/year operating schedule, this equates to 3.82 tons/day;
- or using an 8 hour day, 1,146.55 tons equates to 143.32 tons per hour.

Based on the equipment layout and the loader equipment on hand, I do not believe this product was all crushed in an 8 hour period. Subpart OOO, allows exemption for any portable crusher with a capacity of 150 tons/hour or less.

I departed the site at approx. 1430.

Upon returning to the office, I searched online for the crusher. The only 18x38 crusher I could find (and listed numerous times) was listed as a 1960 Rogers 18x38 Aggregate Equipment Crusher; the capacity was not listed.

I also called Jim on June 19<sup>th</sup> to follow-up on his permit submittal. On June 23 we discussed the permit application and he stated it would be submitted soon.

NAME 

DATE 6/25/15

SUPERVISOR 