



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



C. HEIDI GRETHOR
DIRECTOR

June 23, 2017

Mr. Mark Fennema, Operations Manager
Custom Crushing & Recycling, Inc.
978 64th Street SW
Byron Center, Michigan 49315

SRN: U231704222, Eaton County

Dear Mr. Fennema:

VIOLATION NOTICE

On June 16, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) conducted a complaint investigation via telephone call of Custom Crushing & Recycling's (Custom Crushing) portable crusher equipment which was located at 3888 South Canal Road, Lansing, during the weeks of June 5, 2017 and June 12, 2017. The purpose of this investigation was to determine Custom Crushing'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 to investigate a recent complaint which we received on June 15, 2017, regarding fugitive dust and fall-out attributed to Custom Crushing's crushing operations.

Based on our telephone conversation, staff learned the following:

Process Description	Rule/Permit Condition Violated	Comments
200 ton per hour Eagle 1400 crushing plant, including crusher, screen, and conveyor	Rule 336.1201(1)	The crusher was operated on multiple occasions throughout 2017 without a permit to install.
Portable 200 ton per hour Eagle 1400 crushing plant, including crusher, screen, and conveyor that commenced construction after 08/31/1983 but before 04/22/2008	40 CFR 60.672(b) (NSPS Subpart OOO)	Initial performance test was not conducted within the 60 days after achieving the maximum production rate at which the affected facility will be operated nor 180 days after initial startup.
Portable 200 ton per hour Eagle 1400 crushing plant, including crusher, screen, and conveyor that commenced construction after 08/31/1983 but before 04/22/2008	40 CFR 60.676(i) (NSPS Subpart OOO)	Notification of the actual date of initial startup of each affected facility was not submitted, in addition to the location of the portable plant upon initial startup.

During the June 16, 2017, phone conversation with Custom Crushing in response to the fugitive dust complaint while in operation at Superior Asphalt, Lansing (3888 South Canal, Lansing), it was identified that Custom Crushing had commenced operation of unpermitted crushing operations as early as 2016. The AQD staff advised Custom Crushing that this is a violation of Act 451, Rule 201.

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.

This process is also subject to the federal Standards of Performance for New Sources (NSPS) for Nonmetallic Mineral Processing Plants. These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart OOO. The NSPS Subpart OOO requires that initial performance testing (Method 9 opacity testing) be conducted within 60 days after achieving maximum production rate, or 180 days after initial startup. According to the June 16, 2017, phone conversation, initial startup was in 2016, as 3 to 4 crushing jobs were being conducted at that time. Additionally, notification of initial startup was not submitted, along with the location of the portable plant upon initial startup. The crushing plant is therefore in violation of the NSPS requirements, and no longer qualifies for the General Permit to Install; a Permit to Install must be obtained.

A program for compliance may include a completed PTI application for the crushing operations process equipment. An application form is available by request, or at the following website: www.michigan.gov/deqair (in the shaded box on the upper right hand side of the page)

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by July 14, 2017. 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.

If Custom Crushing 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 violations cited above and for the cooperation that was extended to me during my inspection of Custom Crushing. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the telephone number listed below.

Sincerely,



Michelle Luplow
Environmental Quality Analyst
Air Quality Division
517-284-6636

ML:TG

cc/via e-mail: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Christopher Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. April Lazzaro, DEQ
Ms. Heidi Hollenbach, DEQ
Mr. Brad Myott, DEQ