



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

July 3, 2014

ENFORCEMENT NOTICE

In the matter of:

T.R. Equipment, LLC
5856 Shore Drive
Clarkston, Michigan 48346

SRN: P0210; Oakland County

ATTENTION: Mr. Tim Rose:

This letter is to advise you of the commencement of escalated enforcement action against T.R. Equipment, LLC. This letter follows the Violation Notices issued by the Michigan Department of Environmental Quality (DEQ), Air Quality Division (AQD), on July 24, 2013, August 27, 2013, May 5, 2014, and May 20, 2014 that outline the alleged violations. This enforcement notice is for failing to operate a non-metallic mineral crusher in compliance with the Air Quality Permit To Install No. 128-10, and failure to submit an air quality emissions report for 2013.

In response to the Violation Notices, you stated that you are not responsible for complying with the permit because you rent the crusher to other operators. However, as the owner of the equipment and the permit holder, you are responsible for ensuring that it is operated in compliance with its permit and other applicable air regulations. You also stated that you are in the process of selling the crusher. If you have sold it, please provide written verification of the sale of the equipment. This verification should include the date of the sale, a copy of the bill of sale, and the name and address of buyer. When the crusher has been sold, you may request in writing that the AQD terminate your permit.

The AQD is hereby providing you with an opportunity to meet to discuss options for satisfactorily resolving the mentioned violations, to demonstrate compliance, and to present factual information in writing that should be considered regarding the violations. This proposed resolution would include, among other things, a compliance schedule and an appropriate monetary penalty. Financial hardship and the ability to pay can be considered in determining the penalty, if three years of tax returns are provided to the AQD. Please contact me no later than Tuesday, July 15, 2014, to schedule a meeting to discuss the resolution of this matter.

Be advised that failure to respond to this Enforcement Notice and adequately resolve or address the cited violations may result in further enforcement proceedings including, but not limited to, referral of the matter to the Michigan Department of Attorney General for commencement of civil litigation. Be further advised, that this Enforcement Notice does not preclude or limit the AQD's ability to initiate any other enforcement action under federal or state law as appropriate.

Sincerely,

Jenine Camilleri
Enforcement Unit, Air Quality Division
517-284-6768
camillerij@michigan.gov

cc: Mr. Neil Gordon, DAG
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Mr. Chris Ethridge, DEQ
Mr. Erik Gurshaw, DEQ