



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
KALAMAZOO DISTRICT OFFICE



DAN WYANT  
DIRECTOR

September 10, 2015

Mr. Ross Veltema  
Top Grade Site Management Contractors  
3407 58th Street  
Hamilton, Michigan 49419

SRN: U031509374, Allegan County

Dear Mr. Veltema:

**VIOLATION NOTICE**

On September 2, 2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Top Grade Site Management Contractors' (Facility), portable Terex Model 4242 impact crusher at the former Consumers Concrete Corporation site, located at 3900 West Dickman Road, Battle Creek, Michigan. The purpose of this inspection was to determine the Facility'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); and the administrative rules.

During the inspection, staff of the AQD observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Concrete crushing	Rule 201	Facility crushing concrete without an air use permit. Additionally, there was no water available on-site to control fugitive dust on site roadways, yard, and from the crusher and associated conveyors.
Impact crusher and conveyors	40 CFR Part 60, Subpart 000; 40 CFR 60.675(a) and 40 CFR 60.8	Equipment is subject to testing based on crusher manufacture date and processing capacity.

This process is also subject to the federal Standards of Performance for New Sources for Nonmetallic Mineral Crushing Facilities. These standards are found in Title 40 of the Code of Federal Regulations, Part 60, Subpart 000.

During this inspection, it was noted that the Facility had installed/commenced operation of an unpermitted process/equipment at this Facility. The AQD staff advised Mr. Jim Bender, Site Manager, on September 2, 2015, that this is a violation of Rule 201 of Act 451.

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A program for compliance may include a completed Permit to Install application for the crushing process equipment. An application form is available by request, or at the following website: [http://www.deq.state.mi.us/aps/nsr\\_information.shtml](http://www.deq.state.mi.us/aps/nsr_information.shtml)

Be advised that Rule 201 requires 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.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 1, 2015 (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.

If the Facility 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 the Facility. 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,



Rex I. Lane  
Senior Environmental Quality Analyst  
Air Quality Division  
269-567-3547

RIL:CF

Enclosure

cc: Ms. Lynn Fiedler, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Ms. Heidi Hollenbach, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Mary Douglas, DEQ