



GRETCHEN WHITMER  
GOVERNOR

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



DANIEL EICHINGER  
ACTING DIRECTOR

April 14, 2023

Ron Oatsvall  
Oatsvall Construction  
12995 Red Arrow Highway  
Sawyer, Michigan 49125

SRN: U112302302, Berrien County

Dear Ron Oatsvall:

**VIOLATION NOTICE**

On April 11, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), received a fugitive dust complaint regarding concrete crushing on property located across from the intersection of Grant Street and 5<sup>th</sup> Street in the Village of Galien. AQD staff contacted the Village of Galien Clerk, Ms. Christine Palmer, who verified that this property was sold to Oatsvall Construction by the Village about five years ago and that concrete debris was being stockpiled on-site for at least the last six months. The complainant provided AQD staff with photos taken on April 11, 2023, that shows Oatsvall Construction equipment on the property while excessive fugitive dust was being generated by a crusher and conveyor while in operation. The purpose of this complaint investigation was to determine Oatsvall Construction'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 April 11, 2023.

During the complaint investigation, the following violation was noted:

Process Description	Rule/Permit Condition Violated	Comments
Concrete crushing operations	Rule 201	Process equipment is subject to air use permitting requirements. A review of permit card database indicates a permit has not been issued to Oatsvall Construction for this equipment. Excessive fugitive dust emissions were being generated during operation of crushing equipment.

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## **RULE 201 VIOLATION**

During this investigation, it was noted that Oatsvall Construction had installed an unpermitted concrete crusher and associated equipment at the intersection of Grant Street and 5<sup>th</sup> Street in the Village of Galien. The AQD staff advised Oatsvall Construction by cell phone voicemail message on April 12, 2023, that this is a violation of Rule 201 of the administrative rules promulgated under Act 451.

A program for compliance may include a completed PTI application for the concrete crusher and associated process equipment. An application form is available by request, or at the following website: [www.michigan.gov/air](http://www.michigan.gov/air).

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.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by May 5, 2023 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

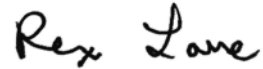
Please submit the written response to EGLE, AQD, Kalamazoo District Office at 7953 Adobe Road, Kalamazoo, Michigan 49009 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Oatsvall Construction 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.

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Thank you for your attention to resolving the violation cited above. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,

A handwritten signature in black ink that reads "Rex I. Lane". The signature is written in a cursive style with a large, prominent "R" and "L".

Rex I. Lane  
District Supervisor  
Air Quality Division  
269-312-1540

cc: Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Jenine Camilleri, EGLE  
Rex Lane, EGLE