



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

June 3, 2020

Mr. Martin Burnash, Owner  
Burnash Wrecking Company  
3842 Robert T. Longway Boulevard  
Flint, MI 48506

ID: U25090231; Genesee County

Dear Mr. Burnash:

**VIOLATION NOTICE**

On May 13, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Burnash Wrecking Company (Burnash Wrecking) located at 1620 Industrial Avenue, Flint, Michigan. The purpose of this inspection was to determine Burnash Wrecking'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 May 12, 2020, regarding fugitive dust attributed to Burnash Wrecking's operations.

During the inspection, staff observed the following:

<b>Process Description</b>	<b>Rule/Permit Condition Violated</b>	<b>Comments</b>
Extec portable nonmetallic mineral crusher	EGLE Michigan Air Pollution Control Rule 201	Operation of a new crusher without first having obtained a permit to install
Extec portable nonmetallic mineral crusher	EGLE Michigan Air Pollution Control Rule 910	Operation of crusher without the use of the water dust suppression system, leading to excessive opacity and fugitive dust

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 000.

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During this inspection, it was noted that Burnash Wrecking had installed and commenced operation of an Extec portable crusher at the 1620 Industrial Avenue site. This crusher is said to have been manufactured in 2007, and to have replaced the 1946-vintage crusher previously used. The AQD staff advised Burnash Wrecking on May 20, 2020, that whereas the 1946 crusher operated under an exemption from obtaining a permit to install on the basis of limited emissions, AQD does not allow newer crushers to utilize exemptions. Therefore, the Extec crusher has been installed and operated without a permit to install, in violation of Rule 201 of the administrative rules promulgated under Act 451.

A program for compliance may include a completed PTI application for the Extec portable crusher and any associated process equipment, such as screens or conveyors. The PTI application will need to include a written fugitive dust control plan for the site, to address site roadways and material handling operations. An application form is available by request, or at the following website: [www.michigan.gov/air](http://www.michigan.gov/air) (in the shaded box on the upper right-hand side of the page).

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.

On May 13, 2020, the AQD staff observed operation of the Extec portable crusher while the water suppression system was not in use. This resulted in high opacity from the crusher, and excessive fugitive dust being emitted to the ambient air. This constitutes a violation of Rule 910 of the administrative rules promulgated under Act 451, which requires that an air-cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with the administrative rules and existing law.

Rule 301 of the administrative rules limits visible emissions from process equipment to a 6-minute average of 20% opacity, except for one 6-minute average per hour not to exceed 27%. Although it was not possible for AQD staff to obtain a complete visible emission reading before the crusher ceased operating on May 13, emissions were witnessed while the equipment was operating exceed the 20% threshold.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by June 24, 2020 (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 recurrence.

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Please submit the written response to EGLE, AQD, Lansing District, at Constitution Hall, 525 West Allegan Street, P.O. Box 30242, First Floor South, Lansing, Michigan 48909 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Burnash Wrecking 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 Burnash Wrecking. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Daniel A. McGeen  
Environmental Quality Analyst  
Air Quality Division  
517-284-6638

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Christopher Ethridge, EGLE  
Mr. Brad Myott, EGLE