



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

October 31, 2023

VIA E-MAIL

Mike Johnson, Owner
Johnson & Sons Excavating Inc.
10025 Gale Road
Goodrich, Michigan 48438

SRN: U252305052, Genesee County

Dear Mike Johnson:

VIOLATION NOTICE

On August 23, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Johnson & Sons Excavating Inc. (Johnson & Sons Excavating) located at 10185 Sojourner Drive, Goodrich, Michigan. The purpose of this inspection was to determine Johnson & Sons Excavating'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 August 11, 2023, regarding fugitive dust attributed to Johnson & Sons Excavating's operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Portable crusher	Rule 201	Portable crusher installed without first obtaining a Permit to Install.

During this inspection, it was noted that Johnson & Sons Excavating had installed an unpermitted portable nonmetallic mineral crusher at this facility. The AQD staff advised Johnson & Sons Excavating on October 27, 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 Permit to Install (PTI) application for the portable crusher process equipment. An application form is available by request, or at the following website: 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.

Mike Johnson
Johnson & Sons Excavating, Inc.
Page 2
October 31, 2023

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by November 21, 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 Daniel McGeen at EGLE, AQD, Lansing District, at Constitution Hall, P.O. Box 30242, First Floor South, Lansing, Michigan 48909 or mcgeend@michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Johnson & Sons Excavating 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 violation cited above and for the cooperation that was extended to me during my inspection of Johnson & Sons Excavating. 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,



Daniel A. McGeen
Environmental Quality Analyst
Air Quality Division
517-648-7547

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Robert Byrnes, EGLE