

DEPARTMENT OF ENVIRONMENTAL QUALITY  
AIR QUALITY DIVISION  
**ACTIVITY REPORT: Complaint Investigation**

U50220350064122

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|---|--|----------------------------------|
| <b>FACILITY:</b> lafrate Construction Company         |  | <b>SRN / ID:</b> U502203500      |
| <b>LOCATION:</b> 29920 Little Mack Avenue             |  | <b>DISTRICT:</b> Warren          |
| <b>CITY:</b> Roseville                                |  | <b>COUNTY:</b> MACOMB            |
| <b>CONTACT:</b> Doug Hetchler , Supervisor            |  | <b>ACTIVITY DATE:</b> 07/28/2022 |
| <b>STAFF:</b> Robert Joseph                           | <b>COMPLIANCE STATUS:</b> Non Compliance | <b>SOURCE CLASS:</b>             |
| <b>SUBJECT:</b> Fugitive Dust complaint investigation |  |                                  |
| <b>RESOLVED COMPLAINTS:</b> C-22-01460                |  |                                  |

On July 28, 2022, at approximately 2 p.m. the AQD received a fugitive dust complaint alleging Clancy Excavating as the origination site. The complainant stated it was causing injurious effects to their health and a nuisance to their personal property. They stated it was due to the truck traffic unloading aggregate material onto the storage piles, and due to the height of the storage piles pertaining to the facility's concrete crushing operations. Wind direction and speed at the time of the complaint was from the WNW at 10-15 mph.

I arrived at approximately 4 p.m. at the Taylor International School and Dormitory located in St. Clair Shores. This location is downwind which allows fugitive dust plumes to be viewed that may be causing injurious effects.

The following details my observations:

4:00 – 4:45 p.m.: Standing at an eastern observation point downwind, I was able to align myself to be in direct line of the dust plumes to determine their origin. I observed a series of dust plumes (opacity under 5%) originate from the northwest traveling in my direction as they struck my safety glasses, and again in my eyes when my safety glasses were off. I also tasted the particulate matter in my mouth briefly as it entered my motu during breathing.

In my expert opinion, these fugitive dust plumes were causing injurious effects to human safety, animal life, plant life, and property. I left the site and went to visit the adjacent facilities.

### **On-site visit**

I arrived onsite at Clancy Excavating shortly before 5 p.m. and met with Mr. Clancy. I informed him of my observations, and I requested to inspect the site. Mr. Clancy informed me that the facility ended their daily operations at 3:30 p.m. and granted me access to do so. I observed several small fugitive dust plumes near the front of facility due to activity of the front loader, but they were not leaving the site. The access road to the top of the large storage pile was closed off to traffic with a large tire.

I proceeded to walk to the rear of the facility to observe the origin of the dust plumes. As I arrived at the rear of the facility, I observed several small plumes being generated from the ground surface at Luigi Cement Company (30066 Little Mack Avenue, Roseville, north of Clancy Excavating) during wind gusts. The dust plumes were traveling downwind but did not appear to be causing a nuisance nor leaving the site.

I then observed a series of large dust plumes originate from MGM Construction Company yard (29920 Little Mack, Roseville, south of Clancy Excavating). This yard is being rented

by the lafrate Construction Company which is the lead contractor of the nearby M-3 road construction project. The large plumes were being generated from the two main storage piles and the vehicular traffic occurring in the yard. I observed dust suppression (water) being applied to the ground surface but not the piles.

These plumes were traveling downwind and in my expert opinion, these were the dust plumes that were causing a nuisance to the surrounding community. I observed these dust plumes off-site at 4:45 pm and Clancy Excavating was not operating at the time, nor were the dust plumes from Luigi Cement Company leaving the site based on my observations.

During my observations, I met with Doug Clancy who informed me the facility ended operations at 3:30 p.m. and that the storage pile was not utilized today. He stated the storage pile is only accessed during an "emergency" which he defined as an immediate need for storage. The storage pile was better maintained this time with larger material positioned on top and smaller aggregate particles not exposed. I reminded Doug of the facility's recent violation notice response and the requirements regarding dust implementation to ensure they remain vigilant regarding this.

I then attempted to obtain a better view of the MGM Construction Company yard from atop the storage pile at Clancy Excavating. I proceeded to view large dust plumes originate off of the two main aggregate piles at the MGM Construction Company yard and leave the site during wind gusts.

I obtained photographs and videos of the dust plumes. I spoke with the operator at the MGM Construction Company yard who is employed by the lafrate Construction Company and informed him of my concerns. I indicated to him I would speak to the Project Manager as well as the Michigan Department of Transportation (MDOT). I then left the area shortly after 6 p.m. and thanked Mr. Clancy for his time.

I then spoke with Louie Fernando via phone, owner, Luigi Cement Company, regarding the fugitive dust I observed emanating off of the roadways near the rear of the facility. He was unaware of this, nor was he aware that he was responsible for maintaining the fugitive dust when no on-site activity is occurring.

I informed him that dust suppression must be used to prevent fugitive dust from leaving the site and causing a nuisance to the surrounding community. He agreed and insisted that he would be cognizant of this and that he would implement fugitive dust suppression going forward to ensure that dust plumes would not cause a nuisance.

I also spoke via phone and email with the MDOT Project Manager, Adam Wayne, and he indicated that he would have his staff monitor the yard since they have oversight of the Gratiot Avenue road construction project.

Lastly, I contacted the lafrate Supervisor, Doug Hetchler, via email regarding this. I informed him of the dust plumes that were causing a nuisance to the surrounding community. I advised him to have his workforces implement dust suppression measures onto the storage piles as well as to the roadways of the yard, and that the piles must contain enough moisture to prevent particulate matter from dispersing into the atmosphere. I also informed him that should this continue to be a nuisance to the surrounding community it will subject the lafrate Construction Company to a violation notice.

## **Conclusion**

Based on my off-site investigation, observations on-site at the construction yard, and my conversations with the parties involved, this complaint is considered resolved pending additional complaints.

NAME Robert Joseph

DATE 08-18-22

SUPERVISOR Joyce