



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

October 1, 2021

Mr. Ben Hunderman
Rocky-Top Sand & Gravel LLC
7029 Homerich Avenue SW
Byron Center, Michigan 49315

SRN: P0143, Allegan County

Dear Mr. Hunderman:

VIOLATION NOTICE

On August 17, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Rocky-Top Sand & Gravel LLC located at 91 141st Street, Wayland, Michigan. The purpose of this inspection was to determine Rocky-Top Sand & Gravel LLC 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

-- the conditions of General Permit to Install (PTI) number 165-10;

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
FGCRUSHING	Special Condition 1.12	The Facility (Rocky-Top Sand & Gravel LLC) is required to submit an EQP5756 form that identifies all existing and new or additional equipment 10 days prior to the equipment being replaced or modified. The Facility replaced one crusher and added one additional Jaw crusher in the winter of 2019 and beginning of 2020. The Facility has not submitted the required EQP5756 form as required by the General PTI Number 165-10. In addition, the Facility should evaluate if the new equipment is subject to NSPS Subpart OOO, and if needs to be tested or has been previously tested.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by October 22, 2021 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the

Mr. Ben Hunderman
Rocky-Top Sand & Gravel LLC
Page 2
October 1, 2021

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

If Rocky-Top Sand & Gravel LLC 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 Rocky-Top Sand & Gravel LLC. 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,



Cody Yazzie
Environmental Engineer
Air Quality Division
269-312-2754

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