



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

January 7, 2022

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

SRN: P0143, Allegan County

Dear Mr. Hunderman:

SECOND VIOLATION NOTICE

On October 1, 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 Ave, Wayland, Michigan. The purpose of the inspection was to determine Rocky-Top Sand & Gravel compliance with the requirements of the federal Clean Air Act; and Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; the Air Pollution Control Rules;

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

On October 1, 2021, the AQD sent Rocky-Top Sand & Gravel LLC a Violation Notice citing violation discovered as a result of the inspection and requested your written response by October 23, 2021. A copy of that letter is enclosed for your reference. As of this date, we have not received your response.

Please be advised that failure to respond in writing and identifying actions Rocky-Top Sand & Gravel LLC will take or has taken to resolve the cited violation may result in escalated enforcement action by the AQD. Please provide the information requested in our October 1, 2021 letter by January 14, 2022, which corresponds to 7 days from the date of this letter.

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.

Be further advised that issuance of this Violation Notice does not preclude or limit EGLE's ability to initiate any other enforcement action under state or federal law as appropriate.

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If you have any questions regarding the violation or the action necessary to bring Rocky-Top Sand & Gravel LLC into compliance, please contact me at the number listed below.

Sincerely,

A handwritten signature in black ink that reads "Cody Yazzie". The signature is written in a cursive style with a horizontal line at the end.

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