



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

September 22, 2022

VIA UPS NEXT DAY DELIVERY

David Conlon  
D&L Equipment  
3203 Brooklyn Road  
Jackson, Michigan 49203

SRN: P0146; Clare County

Dear David Conlon:

### SECOND VIOLATION NOTICE

On March 23, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) became aware of a crusher operating without the necessary air Permit to Install (PTI) at the Clare County Road Commission, 3900 East Mannsiding Road, Harrison, Michigan. Upon investigation, the AQD staff confirmed a crusher was being operated at the location by Arden Shell Trucking & Excavating LLC. According to our investigation, D&L Equipment (Company) owns the crusher that was operated in March 2022 and again in July 2022.

On August 17, 2022, the AQD sent the Company a Violation Notice (VN) citing a violation of Mich Admin Code, R 336.1201 (R 201). The AQD requested the Company's written response by September 7, 2022. A copy of this VN has been enclosed for your reference. As of the date of this letter, the AQD has not received the Company's written response to the cited violation.

Please be advised that failure to respond in writing and identifying actions the Company will take or has taken to resolve the cited violation may result in an escalated enforcement action by the AQD. Please provide the information requested in the VN dated August 17, 2022, by **October 6, 2022**, which corresponds to 14 days from the date of this letter.

The Company's written response must be submitted to Nathanael Gentle, EGLE, AQD, Bay City District Office, at 401 Ketchum Street, Suite B, Bay City, Michigan 48708 and submit at copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan, 48909.

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

David Conlon  
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If you have any questions regarding this matter or the actions necessary to bring the Company into compliance, please contact me at the number listed below or email at MoranE@Michigan.gov.

Sincerely,

A handwritten signature in cursive script that reads "Erin Moran".

Erin Moran  
Enforcement Unit  
Air Quality Division  
517-275-0883

cc: Mary Ann Dolehanty, EGLE  
Annette Switzer, EGLE  
Chris Ethridge, EGLE  
Jenine Camilleri, EGLE  
Chris Hare, EGLE  
Scott Miller, EGLE  
Nathanael Gentle, EGLE