

**DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
ACTIVITY REPORT: On-site Inspection**

P128072218

FACILITY: MEG'S HAULING		SRN / ID: P1280
LOCATION: 67401 BRIAN DRIVE, RAY TWP		DISTRICT: Warren
CITY: RAY TWP		COUNTY: MACOMB
CONTACT: Lyle Fleischmann , Owner		ACTIVITY DATE: 06/12/2024
STAFF: Daniel McGeen	COMPLIANCE STATUS: Compliance	SOURCE CLASS: MINOR
SUBJECT: Unannounced inspection conducted in response to a fugitive dust complaint received the day before.		
RESOLVED COMPLAINTS:		

On June 12, 2024, the Michigan Department of Environment, Great lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an unannounced inspection of a portable mineral processing plant owned and operated by Meg's Hauling. The inspection was in response to a complaint, discussed below:

C-24-01249; received on 6/11/2024 as PEAS Incident Report 30392, alleged that the concrete crusher was blanketing the surrounding residential area with heavy fugitive dust, causing health issues for residents and coating cars in driveways with dust. It was said to have been taking place for two weeks, sometimes at night.

Environmental contact:

- Lyle Fleischmann, Owner; 248-797-9529; lylefleischmann@gmail.com
- Moe Strachan, Foreman; 810-304-0775

EGLE, AQD contact:

Dan McGeen, inspector; 517-648-7547; McGeenD@michigan.gov

Facility description:

This facility is a portable, non-metallic mineral processing plant.

Emission units:

No emission units* are listed in General PTI 100-22, but the following equipment is listed in the General PTI 100-22 application submitted in a recent relocation notice:

- Jaw crusher, Powerscreen J400; max. rated capacity: 350 tons per hour (TPH); Device ID: 01
- Aggregate screener, Powerscreen Chieftain 1400; max. rated capacity: 400 TPH; Device ID: 02
- 50-foot stacker, IMS 50; max. rated capacity: 350 TPH; Device ID: 03

*An *emission unit* is any part of a stationary source that emits or has the potential to emit an air contaminant.

Flexible groups:

Flexible Group** ID	Flexible Group Description	Permit to Install (PTI)	Compliance Status

		No.; Federal Requirements	
FGCRUSHING	A nonmetallic mineral crushing facility consisting of crusher(s) and associated process equipment including grinding mills, drills, screening operations, bucket elevators, belt conveyors, loading and bagging operations, storage bins, enclosed truck or railcar loading stations and any other material handling equipment operated at the site. Each crusher and screen shall be equipped with a water spray. A baghouse dust collector may alternatively be installed in lieu of water spray for any particular piece of equipment. Operation of the control equipment is required only when necessary to meet applicable emission limits.	General PTI 100-22; 40 CFR Part 60, Subpart OOO	Noncompliance

**** A flexible group is used in a permit to install (PTI) or Renewable Operating Permit (ROP) to combine two or more emission units that have common or identical requirements.**

Regulatory overview:

This facility is considered a minor source of criteria pollutants, that is, those pollutants for which a National Ambient Air Quality Standard (NAAQS) exist. These include carbon monoxide, nitrogen oxides, sulfur dioxide, volatile organic compounds (VOCs), lead, particulate matter smaller than 10 microns (PM₁₀), and particulate matter smaller than 2.5 microns (PM_{2.5}). A major source of criteria pollutants has the potential to emit (PTE) of 100 tons per year (TPY) or more of any one of the criteria pollutants and would be subject to the Renewable Operating Permit program.

This facility is also considered to be a minor or area source for hazardous air Pollutants (HAPs), because it has a PTE of less than 10 TPY for any single HAP and less than 25 TPY for all HAPs combined.

This facility is subject to 40 CFR Part 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants. This New Source Performance Standard (NSPS) was updated in 2008. Table 3 to Subpart OOO sets a 12% opacity limit for affected facilities (as defined in Section 60.670 and 60.671 that commenced construction, modification, or reconstruction on or after April 22, 2008.

Fee status:

This facility is considered a Category D fee-subject source, because it is subject to a NSPS, specifically 40 CFR Part 60, Subpart OOO.

The facility submits an annual air emission report each year to MiEnviro, and to its predecessor, the Michigan Air Emission Reporting System.

Location:

- Address: 11155 N. Saginaw Road, Clio, 48420, Genesee County.
- Description: This temporary site was Clio Sand & Soil Inc. The crusher was at the east side of the site, while on the west end of the site was a gravel pit. To the east of the site was a golf course. To the south was undeveloped land, followed by a residential neighborhood. To the northeast was a residential neighborhood. To the north were commercial businesses.

Recent testing:

The plant passed the NSPS and permit-required opacity testing on 11/16/2022.

Safety attire required:

For being around any crusher, AQD staff should wear safety glasses with side shields, hard hat, high visibility safety vest, and steel-toed boots, and should bring hearing protection, in case it is needed.

Arrival:

This was an unannounced inspection. AQD was represented by Dan McGeen, inspector.

- Arrival time in area: 10:17 AM.
- Visible emissions: None seen while driving south and north of the site.
- Weather conditions: Mostly sunny and 75 degrees F with moderate humidity, and winds 10 miles per hour out of the southwest.
- Arrival at site: 10:21 AM.

D. McGeen noted light but not excessive fugitive dust from a front-end loader, upon arrival. He stopped at the Clio Sand & Soil Inc site office and provided his credentials to George Frank, owner, per procedure. He explained the reason for the visit. G. Frank directed him to speak with Meg's Hauling employees, saying that the crusher would process concrete this week, and asphalt next week, 6/17-21.

D. McGeen met with Foreman Moe Strachan of Meg's Hauling. He explained the reason for the visit. M. Strachan said they were using water sprays on the plant today, and that yesterday they used 4,000 gallons of water for dust control. He said they pumped it from the nearby pond at the site and pointed out the water lines running from the pond.

Inspection:

The crusher was running, with no excessive fugitive dust. The finished aggregate was visibly damp from the water sprays used by the crusher and screen.

Unpaved site roadways were dry but fugitive dust currently appeared minimal. D. McGeen requested that water be applied by the end of the day. Company owner Lyle Fleischmann subsequently emailed a photo of watered roadways taken later on 6/12, please see attached.

A meter on the plant read 274 tons per hour (TPH), but, as M. Strachan pointed out, it rapidly fluctuated. It varied from 125 to 642 TPH, but the average for the plant was said to be about 250. The meter's reading on total tonnage produced so far at this site was 5,161.98 tons.

Note: The AQD staff should not linger close to the meter, as there were occasional small pieces of concrete falling from above.

Compliance check with Special Conditions (SC) of General PTI 100-22:

General PTI 100-22 SC	Requirement	Comments	Complies?
FGCRUSHING, SC 1.1	The particulate matter (PM) emissions from each baghouse dust collector portion of FGCRUSHING shall not exceed 0.04 pound per 1,000 pounds of exhaust gases, calculated on a dry gas basis.	NA.	NA
FGCRUSHING, SC 1.2	Visible emissions from FGCRUSHING shall not exceed the limits in the following table:	Please see below.	See below
FGCRUSHING, SC 1.2a	Any equipment enclosed within a building: No visible emissions.	NA.	NA
FGCRUSHING, SC 1.2b	All crushers: 15% opacity.	The facility met this requirement. The crusher was at 0-5% opacity. There were two thin, intermittent wisps of dust coming off the lower half of the plant. Each appeared like they would average out to be 10% opacity. M. Strachan said this was dust which had settled onto the equipment and was now being vibrated off. He offered to add an additional water spray to the crusher today. D. McGeen requested that this be done.	Yes
	Screens: 10% opacity.		Yes

FGCRUSHING, SC 1.2c		The facility met this requirement. There was 0% opacity from the screening process.	
FGCRUSHING, SC 1.2d	Rock drills: 5% opacity.	NA.	NA
FGCRUSHING, SC 1.2e	Conveyors/Transfer points: 10% opacity.	The facility met this requirement. There was 0% opacity from the stacker conveyor and transfer points.	Yes
FGCRUSHING, SC 1.2f	Wash screens and all subsequent equipment downstream up to the next crusher or storage bin: No visible emissions.	NA.	NA
FGCRUSHING, SC 1.2g	All equipment controlled by a baghouse dust collector: 7% opacity.	NA.	NA
FGCRUSHING, SC 1.2h	Wheel loaders and truck traffic: 5% opacity.	The facility met this requirement.	Yes
FGCRUSHING, SC 1.2i	Material storage piles: 5% opacity.	The facility met this requirement.	Yes
FGCRUSHING, SC 1.2j	Any other process equipment which is part of the nonmetallic mineral crushing facility or related processes: 10% opacity.	NA.	NA
FGCRUSHING, SC 1.3	The permittee shall not process more than 2,000,000 tons of any non-metallic mineral through FGCRUSHING per year per site.	The company met this requirement with an electronic recordkeeping system, as evidenced by screenshots texted to D. McGeen on 8/26/2024. Daily tonnage for 6/12/2024 was 1,394.81.	Yes

FGCRUSHING, SC 1.4	The annual production limit of 2,000,000 tons per year per site shall not apply if FGCRUSHING is operated at a location that is covered by a site specific air use permit. At such a location, the annual material processed shall be in conjunction with the production limit contained in the permit for that location. All other conditions and restrictions of this permit shall apply when operating at such location.	NA, as this site was not covered by a site-specific air permit.	NA
FGCRUSHING, SC 1.5	The permittee shall not crush any asbestos tailings or asbestos containing waste materials, as defined by the National Emission Standard for Hazardous Air Pollutants regulations, in FGCRUSHING.	The facility met this requirement. There was no evidence of any suspected asbestos containing material.	Yes
FGCRUSHING, SC 1.6	The permittee shall not operate FGCRUSHING unless the program for continuous fugitive emissions control for all facility roadways, the facility yard, all storage piles, and all material handling operations specified in Appendix A has been implemented and is maintained.	The facility met this requirement, as evidenced by the 6/12/2024 photo of the recently watered unpaved roadway texted to D. McGeen on 6/14, please see attached.	Yes
FGCRUSHING, SC 1.7	Each crusher and screen shall be equipped with a water spray. A baghouse dust collector may be installed in lieu of water spray for any particular piece of equipment. The control equipment shall be properly operated as necessary to comply with all emission limits.	The facility met this requirement.	Yes
FGCRUSHING, SC 1.8	Within 60 days after achieving maximum production rate, but not later than 180 days after initial startup of FGCRUSHING, verification of visible emission rates and particulate emission	The facility met this requirement, passing the NSPS testing on 11/16/2022.	Yes

	<p>rates from all NSPS subject crushers, screens, all transfer points on conveyors, and all other miscellaneous equipment associated with FGCRUSHING and covered by the NSPS Subpart OOO, by testing at owner's expense, in accordance with 40 CFR Part 60 Subparts A and OOO, will be required. No less than 14 days prior to the anticipated test date, visible emission observation procedures must be approved by the District Supervisor. Also, no less than 7 days prior to the anticipated test date, the permittee shall notify the District Supervisor of the test date. If after the anticipated test date has been submitted to the District Supervisor, there is a delay in conducting the test, the permittee shall submit to the District Supervisor notice of the new test date. This notification shall be done a minimum of 3 days prior to the rescheduled test taking place. Verification of visible emissions includes the submittal of a complete report of opacity observations to the AQD within 30 days following the last date of the test.</p>		
FGCRUSHING, SC 1.9	<p>The permittee shall keep, in a satisfactory manner, daily and annual records of the amount of material processed for each site at which the facility operates. All records shall be kept on file for a period of at least five years and made available to the Department upon request.</p>	<p>The company met this requirement with an electronic recordkeeping system, as evidenced by screenshots texted to D. McGeen on 8/26/2024. Daily throughput for 6/12/2024 was 1,394.81 tons.</p>	Yes
FGCRUSHING, SC 1.10	<p>The permittee shall notify the AQD, within 15 days after initial startup</p>	<p>The facility met this requirement in 2022.</p>	Yes

	of FGCRUSHING, of the actual date of initial startup.		
FGCRUSHING, SC 1.11	The permittee shall label all equipment associated FGCRUSHING within 45 days of initial start up according to the company IDs specified in the application (Form EQP5756). Labels shall be in a conspicuous location on the equipment.	<p>Although the facility did not initially have the individual pieces of equipment labeled, on 6/14 AQD received 3 photos of new labels which were taken on 6/13. They stated "EGLE 100-22", a reference to the PTI number. The company agreed to AQD's request to add the following numerals, to match to what is in the application:</p> <ul style="list-style-type: none"> • Jaw crusher: "01" • Screener: "02" • 50-foot stacker: "03" 	Yes
FGCRUSHING, SC 1.12	The permittee shall not replace or modify FGCRUSHING, or any portion of FGCRUSHING, including control equipment, unless all of the following conditions are met:	Please see below.	See below
FGCRUSHING, SC 1.12a	The permittee shall update the general permit by submitting a new Process Information Form (EQP5756) to the Permit Section and District Supervisor, identifying all existing and new or additional equipment added to the process a minimum of 10 days before the equipment is replaced or modified.	The facility met this requirement. A new screening process was added to the plant on 8/23/2022, according to a new EQP5756 form submitted on 8/22/2022.	Yes
FGCRUSHING, SC 1.12b	The permittee shall continue to meet all general permit to install applicability criteria after the replacement or modification is complete.	The facility met this requirement.	Yes

FGCRUSHING, SC 1.12c	The permittee shall keep records of the date and description of the replacement or modification.	The facility met this requirement	Yes
FGCRUSHING, SC 1.12d	The permittee shall notify the Air Quality Division, within 15 days after startup of any new or additional equipment, of the actual date of initial startup.	The facility met this requirement.	Yes
FGCRUSHING, SC 1.12e	All new or additional equipment that is subject to the federal NSPS Subpart OOO, which has not been previously tested, shall comply with the testing requirements of the NSPS.	The facility met this requirement on 11/16/2022.	Yes
FGCRUSHING, SC 1.13	The permittee shall not relocate FGCRUSHING to any new geographical site in Michigan unless all the following criteria are met:	Please see below.	See below
FGCRUSHING, SC 1.13a	The facility shall have no outstanding unresolved violations of any of the Michigan Department of Environmental Quality Air Pollution Control rules, orders, or permits; or Federal air quality regulations.	The facility met this requirement.	Yes
FGCRUSHING, SC 1.13b	A notice of intent to relocate (Relocation Notice Form EQP5757); a copy of the original general permit forms (EQP5727, EQP5729 and EQP5756); any Process Information forms for previous modifications; and a proposed site plan identifying the proposed new geographical site and the probable duration at the new site shall be provided to the appropriate district office and the Permit Section not less than 10 days prior to the scheduled relocation. All residential or commercial establishments and	A notice of intent to relocate was not received prior to the inspection so AQD requested one retroactively. However, the one received was for a pending move to the next site. AQD repeated the request for the past relocation. The facility is aware of	No

	places of public assembly within 1,000 feet of the proposed facility site shall be clearly identified on the proposed site plan.	the requirement, for future relocations.	
FGCRUSHING, SC 1.13c	The crusher(s) shall be located a minimum of 500 feet from any residential or commercial establishment or place of public assembly.	The facility met this requirement.	Yes
FGCRUSHING, SC 1.13d	A copy of this general permit and conditions shall be clearly posted in the operator's office or workstation.	A copy of the general permit and conditions was not available at the site, so D. McGeen gave M. Strachan a copy of the general and special conditions to resolve this.	No

APPENDIX A

Fugitive Dust Control Plan

Fug. Dust Control Plan SC	Requirement	Comments	Complies?
SC I. Plant	The drop distance at each transfer point throughout the plant shall be reduced to the minimum the equipment can achieve	The facility met this requirement.	Yes
SC II. Truck Traffic	On-site vehicles shall be loaded to prevent their contents from dropping, leaking, blowing or otherwise escaping. This shall be accomplished by loading so that no part of the load shall	The facility met this requirement.	Yes

	come in contact within six inches of the top of any sideboard, side panel or tailgate, otherwise, the truck shall be tarped.		
SC III. Site Roadways and the Plant Yard	Please see below.	Please see below.	See below
SC III.a	The dust on the site roadways and the plant yard shall be controlled by applications of water, calcium chloride or other acceptable and approved fugitive dust control compounds. Applications of dust suppressants shall be done as often as necessary to meet an opacity limit of five percent.	The facility met this requirement, as the plant roadway and yard area were watered after D. McGeen left the site, based on the company's emailed photo from 6/12/2024.	Yes
SC III.b	All paved roadways and the plant yards shall be swept as needed between applications of dust suppressants.	NA, as the plant roadway and yard area were watered, per the company's emailed photo from 6/12/2024.	NA
SC III.c	Any material spillage on roads shall be cleaned up immediately	NA, as no spillage was observed.	NA
SC III.d	A record of all applications of dust suppressants and roadway and the plant yard sweepings shall be kept on file for the most recent five-year period and be made available to the AQD upon request.	AQD received by email a 6/12/2024 photo showing water was applied to the unpaved roadway, after AQD left the site. D. McGeen made the company aware of the recordkeeping requirement. Most companies keep a record in written form but it could be photographic.	Yes
SC IV. Storage Piles	Please see below.	Please see below.	See below

SC IV.a	Stockpiling of all nonmetallic minerals shall be performed to minimize drop distance and control potential dust problems.	The facility met this requirement.	Yes
SC IV.b	Stockpiles shall be watered on an as needed basis in order to meet an opacity limit of five percent. Equipment to apply water or dust suppressant shall be available at the site, or on call for use at the site, within a given operating day.	NA, as stockpiles did not need to be watered at this time.	NA
SC IV.c	A record of all watering shall be kept on file for the most recent five-year period and be made available to the AQD upon request.	AQD received by email a 6/12/2024 photo showing water had just been applied to the unpaved roadway after AQD left the site. The company has been informed of this requirement. The permit does not prohibit a photographic record.	Yes
SC V. AQD/EGLE Inspection	Please see below.	Please see below.	See below
SC V.	The provisions and procedures of this plan are subject to adjustment by written notification from the AQD, if following an inspection, the AQD finds the fugitive dust requirements and/or the permitted opacity limits are not being met.	NA, as no adjustments were necessary.	NA

(End of compliance check.)

Departure:

D. McGeen left the site at 11:05 AM.**Post-inspection follow-up.**

- On 6/14/2024, Owner Lyle Flesichmann texted photos to D. McGeen, as follows:
 - One taken on 6/12 showed a freshly watered unpaved roadway at the site, please see attached.
 - Three photos showed labels added to the mineral processing plant equipment on 6/13.
- On 6/18/2024, L. Fleischmann texted photos of identical relocation notices being prepared and mailed for the AQD Permits Section and for the AQD Lansing District (LDO)). The LDO's copy was received 6/26.
- On 7/1/2024, D. McGeen noted that the relocation notice covered the move of the crusher to the next site, R & R Ready Mix. He requested a notice to retroactively cover the past move to Clio Sand & Soil. One was not received, but the company is aware of the requirement to notify in advance of future moves.
- On 7/8/2024, D. McGeen asked the company if they were keeping records of fugitive dust control activities, aside from the 6/12 photo documenting water application to the site roadway. An answer was not received, but the company has been made aware of the permit requirement.
- On 8/26/2024, the AQD received previously requested information on total tons processed at the Clio Sand & Soil site and total tons processed on 6/12.

Compliance concerns:

- Although the facility did not initially have the individual pieces of equipment labeled as required by Gen. PTI 100-22, FGCRUSHING, SC 1.11, on 6/14/2024 AQD received by text 3 photos from 6/13 of recently applied labels. The labels read, "EGLE 100-22", a reference to the PTI number. The AQD requested that they add the following numerals, to match to what is in the application, and L. Flesichmann agreed to do so:
 - Jaw crusher: "01".
 - Screener: "02".
 - 50-foot stacker: "03".
- A relocation notice was not received in advance of the move to Clio Sand & Soil Inc, so D. McGeen requested one, after the fact. The AQD received a relocation notice for the move to the next site, R & R Ready Mix, but not for the past move. However, the company is aware of this requirement for future relocations.
- A copy of the general PTI was not available at the site as required by FGCRUSHING, SC 1.13d, so D. McGeen provided M. Strachan with a spare copy of the general PTI.
- It was not clear if the company was keeping a written record of dust control activities, per Appendix A, the Fugitive Dust Control Plan. However, on 6/13, D. McGeen was emailed a photo taken on 6/12 of a freshly watered unpaved roadway at the site. The general PTI requires a record to be kept and does not rule out a photographic record.

Conclusion:

There were a few relatively minor compliance concerns which did not rise to the level of a Violation Notice, as the company took steps to address these.



Image 1(001) : Photo taken by company on 6/12/2024 of recently watered unpaved roadway.

NAME *David R. Smith*

DATE 8/26/2024

SUPERVISOR *RB*