



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING DISTRICT OFFICE



C. HEIDI GRETHER  
DIRECTOR

December 17, 2018

Mr. Aaron Perrault  
L & L Construction  
506 South Charles Street  
Lansing, Michigan 48912

SRN: U33080620, Ingham County

Dear Mr. Perrault:

**VIOLATION NOTICE**

On December 11, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of L & L Construction, located at 6153 Aurelius Road, Lansing, Michigan. The purpose of this inspection was to determine L & L Construction's 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 to investigate a recent complaint which we received on December 11, 2018, regarding truck track-out and associated fugitive dust attributed to Stoneco (L & L Construction Plant Yard Lessee) operations on L & L Construction's property.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Truck traffic	Rule 371	Paved plant roads are not maintained according to Fugitive Dust Control Plan
Truck traffic	Rule 901	Fugitive dust generated from truck traffic is impacting complainant's property

As requested per the AQD under Rule 371, L & L Construction's final Fugitive Dust Control Plan (FDCP) was submitted to AQD on October 25, 2018. Within the FDCP, L & L Construction states that it will control paved road dust with a sweeper and water spray when weather conditions warrant. On December 11, 2018, AQD staff observed Stoneco truck track-out on the paved portion of the road, in addition to track out onto Aurelius Road, indicating that the roads have not been maintained according to L & L Construction's FDCP, which is a violation of Rule 371 of the administrative rules promulgated under Act 451.

Additionally, it is the professional judgement of AQD staff that the observed fugitive dust generated by truck traffic on the paved portions of the road were of sufficient intensity, frequency, and duration so as to constitute a violation of Rule 901 of the administrative rules promulgated under Act 451.

Please initiate actions necessary to correct the cited violations immediately and submit a written response to this Violation Notice by January 8, 2019, (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates that paved road maintenance ceased for the season; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

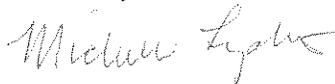
In addition to addressing these items, please also include an updated FDCP that addresses paved road maintenance during the winter season, how often paved roads are swept during non-winter seasons, and additional dust control measures that will be used to minimize track out from the unpaved portions of the yard to the paved portions of the yard (this can include an area of crushed stone or gravel to dislodge dirt from truck tires, paving unpaved areas, and/or increasing the frequency of sweeping and dust control maintenance).

Please submit the written response to the DEQ, AQD, Lansing District Office, at Constitution Hall, First Floor South, 525 West Allegan Street, P.O. Box 30242, Lansing, Michigan 48909 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at the DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If L & L Construction 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 violations cited above and for the cooperation that was extended to me during my inspection of L & L Construction. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Michelle Luplow  
Environmental Quality Analyst  
Air Quality Division  
517-284-6636

cc: Ms. Mary Ann Dolehanty, DEQ  
Dr. Eduardo Olaguer, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Jenine Camilleri, DEQ  
Mr. Brad Myott, DEQ