



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

April 5, 2019

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

SRN: U33080620, Ingham County

Dear Mr. Perrault:

VIOLATION NOTICE

On March 20 and March 26, 2019, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of L & L Aggregates located at 6153 Aurelius Rd, Lansing, Michigan. The purpose of this inspection was to determine L & L Aggregates' 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 recent complaints, which we received on March 18, March 25 and again on March 26, 2019, regarding fugitive dust attributed to Stoneco (L & L Aggregates Plant Yard Lessee) operations on L & L Aggregates property.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Paved and Unpaved portions of entry road	Rule 371	Paved and unpaved plant roads are not maintained according to L & L Aggregates' Fugitive Dust Control Plan. Fugitive Dust control plan is inadequate to ensure fugitive dust is controlled.
Truck Traffic	Rule 901	Fugitive dust generated from truck traffic is impacting complainant's property.

On March 20 and March 26, 2019, staff witnessed excessive fugitive dust generated from truck traffic on L & L roadways which is a violation of Air Pollution Control Rule 371 which requires submittal and implementation of an effective fugitive dust plan. Furthermore, the fugitive dust generated by L & L Aggregates was witnessed leaving the property and impacting an adjacent property. This is considered a violation of Air Pollution Control Rule 901 which states that a person shall not cause or permit the emission of an air contaminant that causes an unreasonable interference with the comfortable enjoyment of life and property.

The violations documented during March 20 and March 26, 2019, demonstrate that the violations documented in the December 18, 2019 violation notice are still ongoing and L & L Aggregates previous attempts to address these violations have been inadequate. Additionally, the draft Fugitive Dust Control Plan submitted with L & L Aggregates Violation Notice response, and subsequent drafts submitted to AQD staff, have proved to be ineffective for addressing fugitive dust from the paved and unpaved portions of L & L Aggregates' property for both operating and non-operating seasons.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by April 18, 2019, (which coincides with 21 calendar days from the date of this letter). The written response should include:

- Specific dates by which L & L Aggregates will implement the appropriate dust control measures to mitigate fugitive dust from paved and unpaved roads and the plant yard. Department Rule 372 lists the typical control methods for controlling fugitive emissions resulting from roads and lots in industrial and commercial facilities. These include but are not limited to paving roads and lots, mechanically cleaning paved surfaces by vacuum sweeping, wet sweeping, or flushing, washing the wheels of every truck leaving the plant premises, treating the roads and lots with a dust suppressant compound which is approved by the department, and maintaining off-roads surfaces with gravel where trucks have frequent access.
- An updated Fugitive Dust Control Plan with appropriate control methods that addresses both paved and unpaved portions of the roads and plant yard; the dust control activities to take place during days when temperatures are at or below 32°F and there are dry, dusty conditions; the dust control activities to take place during days above 32°F; the frequency with which each chosen dust suppressant will be applied (note that a frequency of once per day may not be sufficient for controlling fugitive dust on hot or windy days); and locations where each type of dust control measure will be used.
- The Fugitive Dust Control Plan should also include a clause stating that daily records of dust control measures implemented onsite will be kept.
- A compliance plan for actions that will be taken (includes dates by which actions will take place) and a summary of the actions that have been taken to address the current, ongoing violations.
- Steps that are being taken to prevent a reoccurrence

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Please be advised that failure to respond in writing and identifying actions L&L will take or has taken to resolve the cited violations may result in escalated enforcement action by the AQD.

Please submit the written response to the DEQ, AQD, Lansing District, at Constitution Hall, First Floor South, 525 W. Allegan, 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.

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 Aggregates. 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,

A handwritten signature in black ink, appearing to read "Michelle Luplow", with a stylized flourish at the end.

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