



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

August 16, 2022

VIA EMAIL AND U.S. MAIL

Bill Kirschner  
Bill Kirschner Jr. Trucking & Forest Products  
W3618 Labelle Road  
Powers, Michigan, 49874  
SRN/ID: U552203693, Menominee County

Dear Bill Kirschner:

**VIOLATION NOTICE**

On August 4, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Bill Kirschner Jr. Trucking & Forest Products located at Labelle Road, Powers, Michigan. The purpose of this inspection was to determine Bill Kirschner Jr. Trucking & Forest Product'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); and the Air Pollution Control Rules.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Unpermitted crushing equipment	R 336.1201	Source has been operating crushing equipment without a Permit to Install (PTI)
Initial performance testing, recordkeeping, and reporting	40 Code of Federal Regulations (CFR) Part 60, Subparts A and OOO	Applicable crushing equipment is subject to New Source Performance Standards (NSPS) Subpart OOO

This process is also subject to the federal NSPS for Nonmetallic Mineral Processing Plants. These standards are found in Title 40 of the CFR Part 60, Subpart OOO.

During this inspection, it was noted that Bill Kirschner Jr. Trucking & Forest Products had installed and commenced operation of unpermitted equipment at this facility. The AQD staff advised Bill Kirschner Jr. Trucking & Forest Products on August 11, 2022, that this is a violation of Rule 201 of the administrative rules promulgated under Act 451.

A program for compliance must include a completed PTI application for the crushing process equipment. A PTI application form is enclosed, along with a copy of the Michigan Environmental Compliance Guide for Nonmetallic Mineral Crushing Facilities.

Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 6, 2022 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; 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.

Please submit the written response to EGLE, AQD, Marquette District, at 1504 West Washington Street, Marquette, Michigan 49855 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Bill Kirschner Jr. Trucking & Forest Products 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 Bill Kirschner Jr. Trucking & Forest Products. 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,



Lauren Luce  
Environmental Quality Analyst  
Air Quality Division  
906-202-0943

Enclosures

cc: Mary Ann Dolehanty, EGLE  
Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Jenine Camilleri, EGLE  
Michael Conklin, EGLE