



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
CADILLAC DISTRICT OFFICE



DAN WYANT
DIRECTOR

March 27, 2014

Mr. Joe Schmucker, Owner
Swap Side Lumber
16938 70th Avenue
Marion, Michigan 49665

SRN: U67141465, Osceola County

Dear Mr. Schmucker:

VIOLATION NOTICE

On March 13, 2014, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Swap Side Lumber located at 16938 70th Avenue, Marion, Michigan. The purpose of this inspection was to determine Swap Side Lumber'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; the administrative rules and to investigate a recent complaint which we received on March 12, 2014, regarding fugitive dust attributed to Swap Side Lumber's operations.

During the inspection, a significant amount of sawdust was noted in various places on the complainant's property. In the professional judgment of AQD staff, the fallout observed was sufficient so as to constitute a violation of Rule 901. For your convenience, a copy of this rule is attached to this notice.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by April 16, 2014 (which coincides with 21 calendar days from the date of this letter). The written response should include: an explanation of the causes of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

If Swap Side Lumber 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.

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Thank you for your attention to resolving the violation cited above and for the cooperation that was extended to me during my inspection of Swap Side Lumber. If you have any questions regarding the violation 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 "Rob Dickman", with a long horizontal flourish extending to the right.

Rob Dickman
Environmental Quality Analyst
Air Quality Division
231-876-4412

Enclosure(s)

cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Ms. Janis Denman, DEQ



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

As Amended May 28, 2002

PART 9. EMISSION LIMITATIONS AND PROHIBITIONS--MISCELLANEOUS

R 336.1901 Air contaminant or water vapor, when prohibited.

Rule 901. Notwithstanding the provisions of any other department rule, a person shall not cause or permit the emission of an air contaminant or water vapor in quantities that cause, alone or in reaction with other air contaminants, either of the following:

- (a) Injurious effects to human health or safety, animal life, plant life of significant economic value, or property.
- (b) Unreasonable interference with the comfortable enjoyment of life and property.

History: 1979 ACS 1, Eff. Jan. 19, 1980; 2002 MR 5, Eff. Mar. 19, 2002.
