



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

November 30, 2023

Kyle Daneff
Louis Padnos Iron & Metal
2001 Turner Street
Grand Rapids, Michigan 49544

Aaron Alexander
Canyon Commercial Construction Inc.
P.O. Box 2365
Huffman, Texas 77336-2365

SRN: A2457, Kent County

Dear Kyle Daneff and Aaron Alexander:

VIOLATION NOTICE

On August 22nd, September 27th, October 23rd and 25th, staff of the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted a compliance evaluation of portable torch cutting at Louis Padnos Iron & Metal (Padnos) located at 2001 Turner Street, Grand Rapids, Michigan. The purpose of these evaluations was to determine Padnos and Canyon Commercial 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); and the Air Pollution Control Rules.

During the evaluation, staff identified the following:

Process Description	Rule/Permit Condition Violated	Comments
Portable Torch Cutting	Rule 310	Open burning
Portable Torch Cutting	Rule 911	Failure to implement Malfunction Abatement Plan

On August 22, 2023, the AQD observed smoke from torching upon arrival for a compliance inspection. During that inspection, the AQD observed large, oil-filled, and grease-covered equipment, including rubber hoses, that were in the process of being torched. As a result, the AQD requested a Malfunction Abatement Plan pursuant to Rule 911, which was submitted timely on October 11, 2023.

Kyle Daneff, Louis Padnos Iron & Metal
Aaron Alexander, Canyon Commercial Construction Inc.
Page 2
November 30, 2023

On September 27, 2023, the AQD received a complaint regarding smoke and flames observed at the facility that also included imagery of the onsite activities. Following an inquiry to facility staff, it was confirmed that a load of incoming scrap had caught on fire which was put out promptly.

On October 23 and again on October 25, 2023, additional complaints of smoke and fire at the facility were received that included imagery of the onsite activities. Following an email inquiry to facility staff, it was stated that they did not have a fire, but that the smoke and flames in the images were from portable torch cutting at the facility.

The images taken on those two days show extreme smoke and flames from the portable torch cutting equipment, and as such the activity occurring at that time is considered open burning. Open burning is prohibited, and as such, this is a violation of Rule 310.

The definition found in Rule 336.1115(b) of the Michigan Air Pollution Control Rules states that, "Open burning" means a fire from which the products of combustion are emitted directly into the outer air without passing through a stack or chimney. Padnos is advised to immediately discontinue any torch cutting activities that result in open burning.

Additionally, the Malfunction Abatement Plan (MAP) submitted on October 11, 2023, states that, "In the event that the material being torched has opacity greater than acceptable amount the torchers will then stop torching and will escalate to find a better means of processing the material." Based on the imagery, which shows an unacceptable amount of opacity without the activity being ceased, and Padnos' explanation of the origins of the smoke and fire observed, the AQD has identified that the provisions of the MAP have not been followed at the facility. This is a violation of Rule 911.

Finally, in June of 2021, at the request of the AQD, Padnos submitted a Rule 278 demonstration for the portable torch cutting emission unit at the facility indicating that it had not been reconstructed. Due to the time elapsed since that submittal, the AQD is requesting an updated Rule 278 demonstration. The demonstration must include a record of all costs incurred by both Padnos and Canyon Commercial Torching for the portable torching emission unit incurred since December 20, 2016. The submittal must contain an itemized list, including receipts, for all maintenance and repairs, equipment, and all parts replaced and/or purchased for the emission unit.

Please submit the requested Rule 278 exemption demonstration information by December 30, 2023.

Kyle Daneff, Louis Padnos Iron & Metal

Aaron Alexander, Canyon Commercial Construction Inc.

Page 3

November 30, 2023

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by December 21, 2023 (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 April Lazzaro at EGLE, AQD, Grand Rapids District, at 350 Ottawa Avenue NW, Unit 10, Grand Rapids, Michigan 49503 or LazzaroA1@michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Louis Padnos Iron & Metal or Canyon Commercial Construction, Inc. 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. 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,



April Lazzaro
Senior Environmental Quality Analyst
Air Quality Division
616-558-1092

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Heidi Hollenbach, EGLE