



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DETROIT



C. HEIDI GREETHER  
DIRECTOR

March 7, 2017

Mr. Jeff Koch  
JUDD Warehousing  
4890 East Nevada  
Detroit, Michigan 48234

SRN: M4189, Wayne County

Dear Mr. Koch:

**VIOLATION NOTICE**

On February 14, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of JUDD Warehousing located at 4890 East Nevada, Detroit, Michigan. The purpose of this inspection was to determine JUDD Warehousing'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 February 14, 2017, regarding smoke and odors attributed to JUDD Warehousing's operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Torch cutting of metal machinery and other materials and with air contaminants venting to the ambient air	R 336.1201(1)	JUDD Warehousing has installed and is operating the torch cutting process without first obtaining a Permit to Install.
	R 336.1901(b)	Distinct and objectionable (Level 3) odors, attributable to JUDD Warehousing's torch cutting operations, impacting areas downwind of the facility.

During these inspections, it was noted that JUDD Warehousing had installed and commenced operation of an unpermitted torch cutting process at this facility, and that air contaminants from the torch cutting process, in the form of both smoke and odors, were being emitted to the ambient air. The AQD staff advised JUDD Warehousing on February 14, 2017, that this is a violation of Act 451, R 336.1201(1) (also hereafter Rule 201(1)).

Be advised that Rule 201(1) 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.

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R 336.1901(b) (also hereafter Rule 901(b)) states, in part, that “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 . . . Unreasonable interference with the comfortable enjoyment of life and property.” In the professional judgment of AQD staff, the odors that were observed on February 14, 2017, were of sufficient intensity, frequency, and duration so as to constitute a violation of Rule 901(b).

During the inspection on February 14, 2017, AQD staff detected odor emissions from the torch-cutting process on a neighboring property located at 5100 East Nevada at the level 3 intensity. Level 3 odor intensity is that which is distinct and objectionable. In addition, though staff did not perform the Method 9 to evaluate intensity of smoke emissions from the torch-cutting event, the plume of smoldering torch-cut metal was of high opacity and dispersed beyond the JUDD Warehousing property boundaries.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by March 28, 2017 (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.

A program for compliance may include a completed PTI application for the torch cutting process equipment. An application form is available by request, or at the following website: [www.michigan.gov/deqair](http://www.michigan.gov/deqair) (in the shaded box on the upper right hand side of the page).

If JUDD Warehousing 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 violations cited above and for the cooperation that was extended to me during my inspection of February 14, 2017. 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,



Terseer Hemben  
Environmental Engineer  
Air Quality Division  
313-456-4677

cc: Ms. LaReina Wheeler, City of Detroit BSEED  
cc/via e-mail: Ms. Lynn Fiedler, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Mr. Chris Ethridge, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Wilhemina McLemore, DEQ  
Mr. Jeff Korniski, DEQ