



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SOUTHEAST MICHIGAN DISTRICT OFFICE



DAN WYANT  
DIRECTOR

February 7, 2014

Ms. Jennifer Kleiman  
Mack Truck & Wiegand's Crushed Concrete  
37580 Mound Road  
Sterling Heights, Michigan 48310

SRN: N7392, Macomb County

Dear Ms. Kleiman:

**VIOLATION NOTICE**

On October 15, 2013, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Mack Truck & Wiegand's Crushed Concrete located at 37580 Mound Road, Sterling Heights, Michigan. The purpose of this inspection was to determine Mack Truck & Wiegand's Crushed Concrete'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 administrative rules; the conditions of Permit to Install (PTI) number 213-05; Consent Order AQD number 5-2006; and to investigate recent complaints which we received on October 10 and 14, 2013, regarding fugitive dust attributed to Mack Truck & Wiegand's Crushed Concrete operations. Subsequent to the inspection on October 15, 2013, the AQD also conducted complaint investigations on October 31, November 25 and December 4, 2013, regarding fugitive dust attributed to Mack Truck & Wiegand's Crushed Concrete operations.

During the inspection and complaint investigations, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Concrete crushing, storage and transportation.	R 336.1901; Permit to Install No. 213-05, General Condition 6; and Consent Order AQD No. 5-2006, paragraph 10.	The particulate fallout has resulted in an unreasonable interference with the comfortable enjoyment of life and property.

In the professional judgment of AQD staff, the particulate fallout events that were observed during the inspections were of sufficient intensity and frequency so as to constitute a violation of Rule 901 and General Condition number 6 of PTI number 213-05. This determination is supported by laboratory analyses, which correlate the appearance and properties of particulates collected at Wiegand's and the complainant's location.

The cited General Condition number 6 of PTI number 213-05 is also enforceable as paragraph 10 of Consent Order, AQD number 5-2006.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by February 28, 2014. The written response should include:

- the dates the violation occurred;
- an explanation of the causes and duration 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 Mack Truck & Wiegand's Crushed Concrete 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 violation cited above and for the cooperation that was extended to me during my inspection of October 15, 2014. 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,



Robert Elmouchi  
Environmental Quality Analyst  
Air Quality Division  
586-753-3736

RE/DC

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