



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
JACKSON DISTRICT OFFICE



C. HEIDI GREYER  
DIRECTOR

September 21, 2018

**CERTIFIED MAIL-7017 3380 0000 4105 8315**  
**RETURN RECEIPT**

Mr. Kent D. Tackett  
Tackett & Son Materials, LLC  
5990 M-99 North  
Homer, Michigan 49246

SRN: N7740, Hillsdale County

Dear Mr. Tackett:

**VIOLATION NOTICE**

On August 23, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Tackett & Sons Materials located at 1660 East Chicago Road, Jonesville, Michigan. The purpose of this inspection was to determine Tackett & Sons Materials 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; the conditions of Permit to Install (PTI) number 369-06A; and Consent Order AQD number 34-2014.

During the inspection, staff observed the following:

<b>Process Description</b>	<b>Rule/Permit Condition Violated</b>	<b>Comments</b>
EUHMAPLANT - hot mix asphalt facility	SC VI.6, SC VI.7, SC VI.8, VI.9, and SC VI.10	Failed to produce requested emissions and production records as required by these Special Conditions
EUYARD - fugitive dust sources	SC VI.2	Failed to produce requested emissions records as required by this Special Condition
FGFACILITY	SC VI.2	Failed to produce requested emissions records as required by this Special Condition

During this inspection, Tackett & Sons Materials was unable to produce emission and production records.

This is a violation of (the recordkeeping and emission limitations) specified in Special Conditions VI.6, VI.7, VI.8, VI.9 and VI.10 in EUHMAPLANT; VI.2 in EUYARD; and VI.2 of FGFACILITY of PTI number 369-06A.

The conditions of PTI number 369-06A require the maintenance of records, which shall be made available for review upon request by the AQD staff. The following records were requested but were never provided for review:

#### EUHMAPLANT

1. Fuels combusted
  - a. Identification, type, and amounts (in gallons)
  - b. Sulfur content (percent by weight), specific gravity, flash point, and higher heating value (Btu/lb) of all fuel oils being combusted, which shall be provided by the supplier.
2. Tons of hot mix asphalt (HMA) containing recycled asphalt product (RAP) produced, including the average percent of RAP per ton of HMA produced containing RAP.
3. Information of the four mixes of HMA that is produced at this facility that includes the virgin aggregate feed rate, RAP feed rate, product temperature, and identification of the components of the asphalt paving material mixture.
4. Monthly and 12-month rolling time period emission calculation records of all criteria pollutants and toxic air contaminants listed in the Emission Limit Table for EUHMAPLANT.
5. CO emissions data and the associated production data for the startup of the 2018 season, each malfunction, and every 500 hours of operation.
6. Average daily, monthly, and 12-month rolling time period records of the amount of HMA paving materials produced.

#### EUYARD

1. The annual fugitive dust emissions.

#### FGFACILITY

1. Monthly and 12-month rolling time period emission calculation records of individual and aggregate HAP emission calculations.

The cited (Special Conditions VI.3, VI.6, VI.7, VI.8, VI.9 and VI.10 in EUHMAPLANT; VI.2 in EUYARD; and VI.2 of FGFACILITY of PTI number 369-06A) is also enforceable as paragraph 9.A.1 of Consent Order, AQD number 34-2014.

On May 15, 2018 and June 27, 2018, the AQD sent Tackett & Sons, LLC a Violation Notice citing violation for non-submittal of the MAERS reporting forms and requested your written response by May 29, 2018 and July 10, 2018, respectively. As of this date, we have not received your response for either Violation Notice.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 12, 2018. 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 the DEQ, AQD, Jackson District, at 301 East Louis Glick Highway, Jackson, Michigan 49201 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at the DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Tackett & Sons Materials 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 Tackett & Sons Materials. 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,



Brian Carley  
Environmental Quality Specialist  
Air Quality Division  
517-416-4631

cc: Ms. Mary Ann Dolehanty, DEQ  
Mr. Craig Fitzner, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Jenine Camilleri, DEQ  
Mr. Scott Miller, DEQ