



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



DAN WYANT
DIRECTOR

September 8, 2015

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Jason Roughton
RJ Torching, Incorporated
5061 Energy Drive
Flint, MI 48505

SRN: N7885, Genesee County

VIOLATION NOTICE

On September 1, 2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) conducted an inspection of RJ Torching located at G5167 North Dort Highway, Flint. The purpose of this inspection was to determine your facility'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 and Administrative Consent Order EPA 5-15-113(a)-MI-02; and to investigate recent complaints which we received on July 24, 2015, July 30, 2015, August 22, 2015, and August 12, 2015, regarding brown, yellow, and orange smoke, and foul odors attributed to your torch cutting operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Torch cutting of scrap metal	Rule 310 Open Burning	Cast iron and rubber products are allowed to smolder causing smoke and odors.
Torch cutting of scrap metal	Administrative Consent Order EPA 5-15-113(a)-MI-02, Appendix A paragraph 13	Eliminate foreign material before torching operations, fan belt was smoldering.
Torch cutting of scrap metal	Administrative Consent Order EPA 5-15-113(a)-MI-02, Appendix A paragraph 17	Clean items before conducting torching operations.

On September 1, 2015, AQD staff observed that after torching operations ceased, cast iron and rubber products were allowed to smolder causing smoke and odors without being extinguished.

This constitutes a violation of Act 451, Rule 310 which prohibits open burning of refuse, garbage, or any other waste material at any business or commercial operation.

In order to comply with Rule 310, RJ Torching is advised to:

1. Conduct good housekeeping practices in the torch cutting areas to eliminate, to the extent practicable, foreign material that could create VEs if it is in contact with torch flames as stated in Administrative Consent Order EPA 5-15-113(a)-MI-02, Appendix A, paragraph 13.
2. Remove foreign material from material to be cut as stated in Administrative Consent Order EPA 5-15-113(a)-MI-02, Appendix A, paragraph 17.
3. Immediately douse smoldering metals or materials that cannot be removed with water to discontinue any open burning immediately after torch cutting.

The DEQ encourages the reuse and the recycling of wastes whenever possible. However, any waste that cannot be reused or recycled must be properly disposed of in accordance with Act 451, Part 115, Solid Waste Management, Section 11512(1). Additionally, if RJ Torching decides to further allow the incineration of waste, it must be incinerated in a properly designed incinerator. An approved permit must be obtained from the DEQ before commencing installation of any incinerator. An application form is available by request, or at the following website:

http://www.deq.state.mi.us/aps/nsr_information.shtml

The cited is also enforceable of EPA Consent Order 5-15-113(a)-MI-02 Appendix A, paragraphs 13 and 17.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 29, 2015. 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.

In addition to the response for the violations noted, please provide documentation proof of employee training with corresponding dates for all employees who conduct torch cutting and the appropriate supervisors and managers as per EPA Consent Order 5-15-113(a)-MI-02 Paragraph 23.

If RJ Torching 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 telephone number listed below.

Sincerely,



Nathan Hude
Environmental Quality Analyst
Air Quality Division
517-284-6779

NNH:TG

cc: Mr. Brad Myott, DEQ
cc/via e-mail: Ms. Sarah Marshall, EPA
Mr. Raymond Cullen, EPA
Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Ms. Mary Douglas, DEQ