



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DETROIT



DAN WYANT  
DIRECTOR

July 25, 2014

Art Wakeford  
American Excavating Contractors  
12838 Gavel Street  
Detroit, MI 48227

SRN: P0529, Wayne County

Dear Mr. Wakeford:

**VIOLATION NOTICE**

On July 22, 2014, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of American Excavating Contractors facility located at 12838 Gavel, Detroit, Michigan. The purpose of this inspection was to determine fugitive dust emissions 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 to investigate a recent complaint which we received on July 21, 2014, regarding fallout and fugitive dust attributed to concrete recycling operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Concrete Recycling	Rule 901	Failed to maintain unpaved lot and road ways, and consequently caused to emit excessive fugitive dust onto neighboring properties.

In the professional judgment of AQD staff, the dust fallout that was observed was of sufficient intensity, frequency and duration so as to constitute a violation of Rule 901.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by August 15, 2014 which coincides with 21 calendar days from the date of this letter. 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 American Excavating Construction 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.

Mr. Art Wakeford  
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Thank you for your attention to resolving the violation cited above and for the cooperation that was extended to me during my inspection of American Excavation Construction. 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,

A handwritten signature in blue ink that reads "Terseer Hemben" followed by a stylized flourish.

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

cc: Ms. LaReina Wheeler, City of Detroit  
Ms. Lynn Fiedler, DEQ  
Ms. Teresa Seidel, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Wilhemina McLemore, DEQ