



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GREYER
DIRECTOR

March 14, 2018

Mr. Cliff Messing
Cliff A. Messing Exc, Inc.
8826 East Huron Line Road
Ruth, Michigan 48470

SRN: P0679, Sanilac County

Dear Mr. Messing:

VIOLATION NOTICE

On March 9, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Cliff A. Messing Exc, Inc. located at 1783 Main Street, Minden City, Michigan. The purpose of this inspection was to determine Cliff A. Messing Exc, Inc.'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 the conditions of Permit to Install (PTI) number 11-16.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EUPROCESS	40 CFR 60, Subpart OOO/ SC V.1	The permittee shall receive permission for and perform an initial evaluation of visible emissions and submit a complete report of opacity observations to the AQD.
EUPROCESS	R 336.1201	Installed Pioneer Jaw Crusher 10-36 and Return Conveyor 24-34 without a permit to install.

EUPROCESS is subject to the federal New Source Performance Standards (NSPS) for Nonmetallic Mineral Processing. These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart OOO.

40 CFR 60, Subpart OOO and PTI number 11-16, Special Condition number V.1 require that within 60 days of achieving maximum production rate, but not later than 180 days after commencement of trial operation, the permittee shall receive approval from the AQD for the procedures to perform an initial performance test to evaluate visible emissions from EUPROCESS and submit a report of opacity observations to the AQD within 45 days following the last date of the evaluation. No initial performance test for

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visible emissions were collected for the Pioneer Jaw Crusher 10-36 and Return Conveyor 24-34 equipment installed in FY17.

During this inspection, it was noted that Cliff A. Messing Exc, Inc. had installed unpermitted equipment at this facility.

A program for compliance may include a completed PTI application for the Pioneer Jaw Crusher 10-36 and Return Conveyor 24-34 process equipment. An application form is available by request, or at the following website: www.michigan.gov/deqair (in the shaded box on the upper right hand side of the page).

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by April 4, 2018 (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.

If Cliff A. Messing Exc, Inc. 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 Cliff A. Messing Exc, Inc. 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,



Matthew R. Karl
Environmental Quality Analyst
Air Quality Division
989-439-3779

cc/via e-mail: Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Mr. Chris Hare, DEQ