



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
MARQUETTE DISTRICT OFFICE



LIESL EICHLER CLARK  
DIRECTOR

August 16, 2021

VIA E-MAIL

Mr. Jeremy Havelka  
Havelka Construction  
N4559 Highway US-41  
Wallace, Michigan N8329

SRN: N8329, Menominee County

Dear Mr. Havelka:

**VIOLATION NOTICE**

On July 28, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Havelka Construction located at 205 Delta Avenue, Gladstone, Michigan. The purpose of this inspection was to determine Havelka Construction'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; the conditions of Permit to Install (PTI) No. 44-10; and to investigate a recent complaint which we received on July 26, 2021, regarding concerns with setback distance attributed to Havelka Construction's operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
FGCRUSHING	Special Condition 1.13 of PTI No. 44-10	Crushing plant did not meet minimum setback distance of 500 feet. The setback distance from the nearest residential / commercial establishment measured was 370 feet.
FGCRUSHING	Special Condition 1.13 of PTI No. 44-10	Notice of relocation was not submitted 5 days (electronically) in advance or 10 days (hardcopy) in advance to beginning crushing operations at site.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 6, 2021 (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.

Please submit the written response to EGLE, AQD, Marquette District, at 1504 West Washington Street, Marquette, Michigan 49855 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Havelka 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.

Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my inspection of Havelka Construction. 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,



Michael Conklin  
Environmental Engineer  
Air Quality Division  
906-202-0013

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Christopher Ethridge, EGLE  
Mr. Ed Lancaster, EGLE  
Mr. Joseph Scanlan, EGLE