



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
LANSING



LIESL EICHLER CLARK  
DIRECTOR

November 30, 2022

VIA UPS NEXT DAY DELIVERY

**ENFORCEMENT NOTICE**

In the matter of:

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

SRN: P0679; Sanilac County

ATTENTION: Cliff Messing:

This letter is to advise you of the commencement of an escalated enforcement action against Cliff A Messing Excavation, Inc (Company). This letter follows the March 14, 2018, and June 23, 2022, Violation Notices issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) which detailed violations of the Federal Standards of Performance for Nonmetallic Mineral Processing Plants, Title 40 of the Code of Federal Regulations, Part 60, Subpart 000; Subpart A; and the conditions of Permit to Install (PTI) No. 11-16A.

The AQD is providing the Company with an opportunity to formally resolve these violations through the entry of a legally enforceable agreement that will include a compliance program and payment of an appropriate monetary penalty pursuant to Section 5528 of Part 55 of the Natural Resources and Environmental Protection Agency, MCL 324.5528.

Be advised that failure to respond to this Enforcement Notice in a timely manner and adequately resolve or address the cited violations may result in further enforcement proceedings, including but not limited to, referral of the matter to the Michigan Department of Attorney General (MDAG) for commencement of civil litigation. This Enforcement Notice does not preclude or limit EGLE's ability to initiate any other enforcement action under federal or state law as appropriate.

Please contact me at 517-275-0883, or by email at MoranE@Michigan.gov, no later than December 14, 2022, to schedule a meeting to discuss the resolution of this matter.

**ENFORCEMENT NOTICE**

Cliff Messing

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By: \_\_\_\_\_

Erin Moran  
Air Quality Division, Enforcement Unit

Date: November 30, 2022

cc: Sarah Marshall, U.S. Environmental Protection Agency, Region 5  
Margaret Bettenhausen, MDAG  
Chris Hare, EGLE  
Jenine Camilleri, EGLE  
Adam Shaffer, EGLE