



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

November 13, 2019

UPS NEXT DAY DELIVERY

Mr. Brett Calvin
Haviland Enterprises, Inc.
421 Ann Street NW
Grand Rapids, Michigan 49504

SRN: N0878; Kent County

Dear Mr. Calvin:

SUBJECT: Consent Order AQD No. 2018-01, REVISED Stipulated Fines

On February 15, 2018, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) and Haviland Enterprises, Inc. (Company) entered into a Stipulation for Entry of Final Order by Consent AQD No. 2018-01, to resolve violations that had occurred at the Company's facility located in Grand Rapids, Michigan with State Registration Number (SRN) N0878.

In a Violation Notice dated September 19, 2019, the AQD cited the Company for violating Permit to Install (PTI) No. 71-17E, Special Condition IV.1, R 336.1910 (Rule 910) and the terms and conditions of Consent Order AQD No. 2018-01, specifically, failure to properly operate the control device for FGWESTPOWDER as required by PTI No. 71-17E.

Paragraph 9.A.2 of the Consent Order states the following condition:

"On and after the effective date of this Consent Order, the Company shall comply with Exhibit A of this Consent Order." As stated in Paragraph 9.A.1 of the Consent Order, Exhibit A is PTI No. 71-17 and any subsequent permit revision.

Furthermore, Paragraph 14 of the Consent Order reads, in part:

"On and after the effective date of this Consent Order, if the Company fails to comply with paragraph 9.A.2 of this Consent Order, the Company is subject to stipulated fines of up to \$2,500.00 per violation per day."

After reviewing the Violation Notice, the Company's response to the violations, and the Company's response to the October 16, 2019 Stipulated Fines letter, the AQD has revised the amount of stipulated fines to \$15,000.00.

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The Company is hereby requested to submit the stipulated fines of \$15,000.00 in accordance with the provisions of Paragraph 14 of Consent Order No. 2018-01 by December 13, 2019. To ensure proper credit, all payments shall include the Payment Identification Number AQD40183-S on the face of the check. Stipulated fines submitted under this Consent Order shall be made by check, payable to the "State of Michigan" and delivered to the Michigan Department of Environment, Great Lakes, and Energy, Accounting Services Division, Cashier's Office, P.O. Box 30657, Lansing, Michigan 48909-8157.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Rathbun", with a long horizontal flourish extending to the right.

Jeff Rathbun
Enforcement Unit
Air Quality Division
Rathbunj1@michigan.gov
517-284-6797

cc: Mr. Neil Gordon, Department of Attorney General
Ms. Heidi Hollenbach, EGLE
Ms. Kaitlyn DeVries, EGLE
Ms. Jenine Camilleri, EGLE