



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

January 4, 2022

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

Lacks Enterprises, Inc.
Lacks 52nd Street Facility
4375 52nd Street SE
Kentwood, Michigan 49512

Lacks Enterprises, Inc.
Lacks Airplane Facility
4260 Airplane Road SE
Kentwood, Michigan 49512

Lacks Enterprises, Inc.
Lacks Plastic Plate Kraft Facility
5675 Kraft Avenue
Grand Rapids, Michigan 49546

Lacks Enterprises, Inc.
Lacks Plastic Plate Monroe
1648 Monroe Avenue NW
Grand Rapids, Michigan 49503

SRN: N2079, N0895, N7374, B6138; Kent County

ATTENTION: Mr. Jim Morrissey, Mr. Dan Jaracz, Mr. Joe Voss, Mr. Forou Zandeh, and Ms. Karen Baweja

This letter is to advise you of the commencement of escalated enforcement action against Lacks Enterprises, Inc. (Company) regarding state and federal air quality violations at the Lacks 52nd Street Facility, Lacks Airplane Facility, Lacks Plastic Plate Kraft Facility, and the Lacks Plastic Plate Monroe Facility. This letter follows the May 12, 2017, October 13, 2017, April 10, 2018, July 23, 2020, September 14, 2020, October 29, 2020, April 28, 2021, May 11, 2021, June 24, 2021, October 8, 2021, and November 10, 2021, Violation Notices (VNs) issued by the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) to the various facilities. The VNs detailed violations of the federal Clean Air Act; the National Emission Standard for Hazardous Air Pollutants for Chromium Emissions from Hard and Decorative Chrome Electroplating and Chrome Anodizing Tanks, Title 40 of the Code of Federal Regulations, Part 63, Subpart N; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.5501 *et seq.*; Rule 910 and Rule 911 of the Michigan Air Pollution Control Rules, Mich Admin Code, R 336.1910 and Mich Admin Code, R 336.1911;

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the Company's Permit to Install (PTI) Nos.110-18, 110-18A and 221-00C; and Renewable Operating Permit (ROP), Nos. MI-ROP-N0895-2012, MI-ROP-N0895-2018a, MI-ROP-N2079-2017, MI-ROP-N7374-2015, MI-ROP-N7374-2015a, and MI-ROP-N7374-2020.

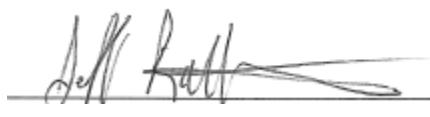
Please note the alleged violations in the VNs dated September 14, 2020, April 28, 2021, and June 24, 2021, are federally enforceable and are considered a High Priority Violation (HPV) by the United States Environmental Protection Agency (EPA). The HPV designation means that the EPA places a priority on enforcing the regulations governing this violation and on formally resolving alleged violations of this type. The AQD is required to report all HPVs to the EPA, pursuant to the state's grant commitments with the EPA and the state's delegated enforcement authority of the federal Clean Air Act.

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 NREPA, 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 517-275-2620, or by email at RathbunJ1@Michigan.gov, no later than January 18, 2022, to schedule a meeting to discuss the resolution of this matter.

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

By: 

Jeff Rathbun
Air Quality Division, Enforcement Unit

Date: 1/4/2022

cc: Ms. Sarah Marshall, U.S. EPA, Region 5
Mr. Neil Gordon, MDAG
Mr. Chris Ethridge, EGLE
Ms. Heidi Hollenbach, EGLE
Ms. Jenine Camilleri, EGLE
Ms. April Lazzaro, EGLE