



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

August 5, 2020

VIA E-MAIL AND U.S. MAIL

Mr. Kevin Havelka
Havelka Construction
N4559 US-41
Wallace, Michigan 49893

Mr. Jeremy Havelka
Havelka Construction
N4559 US-41
Wallace, Michigan 49893

SRN: N8329, Menominee County

Dear Mr. Kevin Havelka and Mr. Jeremy Havelka:

VIOLATION NOTICE

On July 29, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Havelka Construction located at N4559 US-41, Wallace, 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; and the conditions of General Permit to Install (PTI) #44-10;

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
VE Testing	Special Condition 1.8	Source has not conducted Method 9 testing on New Source Performance Standards (NSPS) Subpart OOO subject equipment.
Records of the amount of material processed for each site	Special Condition 1.9	Source was unable to provide daily and annual records of the amount of material processed at each site.

Process Description	Rule/Permit Condition Violated	Comments
Labels on FGCRUSHING equipment	Special Condition 1.11	Source has not labeled all equipment associated with FGCRUSHING.
Modification to FGCRUSHING	Special Condition 1.12	Source has not updated the AQD with the purchase and operation of new equipment.
Relocation notices	Special Condition 1.13	Source has not been submitting relocation notices for each time the plant moves to a different site.

Verification of visible emission rates from FGCRUSHING is subject to the federal NSPS for Nonmetallic Mineral Processing Plants. These standards are found in Title 40 of the Code of Federal Regulations Part 60, Subpart OOO.

During this inspection, Havelka Construction was unable to produce daily and annual records of the amount of material processed at each site. This is a violation of the recordkeeping requirements specified in Special Condition 1.9 of General PTI #44-10. The conditions of General PTI #44-10 require the permittee to keep daily and annual records of material processed for each site at which the facility operates, which shall be made available for review upon request by the AQD staff.

During this inspection, it was observed there were no labels on crushing equipment associated with FGCRUSHING. This is a violation of Special Condition 1.11 of General PTI #44-10. The conditions of General PTI #44-10 require the permittee to label all equipment associated with FGCRUSHING within 45 days of initial start-up according to the company IDs specified in the application (Form EQP5756). Labels shall be in a conspicuous location on the equipment.

Havelka Construction has not provided notification to the AQD of additional equipment added to the process. This is a violation of Special Condition 1.12 of General PTI #44-10. The conditions of General PTI #44-10 require the permittee to submit Form EQP5756 to the Permit Section and District Supervisor, identifying all existing and new or additional equipment added to the process a minimum of 10 days before the equipment is replaced or modified.

Havelka Construction has not provided notification to the AQD of intent to relocate FGCRUSHING. This is a violation of Special Condition 1.13 of General PTI #44-10. The conditions of General PTI #44-10 require the permittee to submit a notice of intent to relocate by submitting Forms EQP5757, EQP5727, EQP5729, and EQP5756, along with all other requirements of Special Condition 1.13.

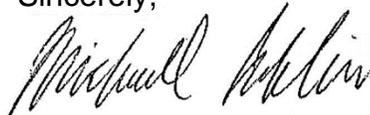
Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by August 25, 2020 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the 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 Office, 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