



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

August 7, 2018

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

Lukazcek Excavating and Drainage, LLC
311 North Briggs Road
Quincy, Michigan 49802

SRN: P0820; Branch County

ATTENTION: Mr. Andrew Lukazcek

This letter is to advise you of the commencement of escalated enforcement action against Lukazcek Excavating and Drainage, LLC (Company) with State Registration Number (SRN) P0820. This letter follows the May 3, 2018 and June 21, 2018, Violation Notices issued by the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD) which detailed violations of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994, PA 451, as amended, MCL 324.5501, *et seq.* (Part 55), and the administrative rules promulgated thereunder, specifically Air Pollution Control Rule 2, Mich Admin Code R 336.202.

The AQD is hereby providing the Company with an opportunity to demonstrate compliance, present factual information in writing that should be considered regarding the violations and meet to discuss options for satisfactorily resolving the violations. The proposed formal written resolution will include, among other things, a compliance schedule within an administrative consent order and an appropriate monetary penalty. In an effort to seek resolution of the cited federal and state air quality violations, the cited parties will be given an opportunity to discuss a resolution of this matter with the AQD pursuant to Section 5515 of Part 55, MCL 324.5515, which will satisfy both state and federal requirements.

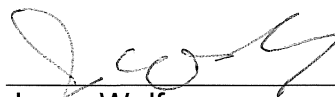
Please contact me at 517-284-6772, or by email at wolfj2@michigan.gov, no later than Friday, August 17th, 2018, to schedule a meeting to discuss the resolution of this matter.

Mr. Andrew Lukazcek
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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. Be further advised that this Enforcement Notice does not preclude or limit the MDEQ's ability to initiate any other enforcement action under federal or state law as appropriate.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

By:



Jason Wolf
Air Quality Division, Enforcement Unit

Date:

8-7-18

cc: Ms. Sarah Marshall, EPA, Region 5
Mr. Neil Gordon, MDAG
Ms. Mary Douglas, MDEQ
Ms. Jenine Camilleri, MDEQ