



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

July 31, 2020

UPS NEXT DAY DELIVERY

Mr. Andrew Lukazcek  
Lukazcek Excavating and Drainage, LLC  
311 North Briggs Road  
Quincy, Michigan 49082

SRN: P0820; Branch County

Dear Mr. Lukazcek:

SUBJECT: Consent Order AQD No. 2019-23, Stipulated Fines and Non-payment of Settlement

On November 13, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) and Lukazcek Excavating and Drainage, LLC (Company) entered into a Stipulation for Entry of Final Order by Consent AQD No. 2019-23 (Consent Order), to resolve violations of Mich Admin Code, R 336.202 (Rule 2). In a Violation Notice (VN) dated June 3, 2020, the AQD cited the Company for violating the terms and conditions of the Consent Order by failing to submit the 2019 Michigan Air Emissions Reporting System air pollution report.

Paragraph 9 of the Consent Order, puts forth the following condition:

“On and after the effective date of this Consent Order, the Company shall comply with Rule 2.”

Furthermore, Paragraph 13 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 of this Consent Order, the Company is subject to a stipulated fine of up to \$500.00 per violation.”

The Company failed to respond to requests from EGLE to provide a response to the VN. After reviewing the VN, the AQD has determined the amount of stipulated fines to be \$500.00.

Additionally, the Company has not made timely payment of the settlement amount in the Consent Order. The agreed to settlement amount was \$750.00 and was due on December 13, 2019. This has resulted in an interest penalty in the amount of \$65.50.

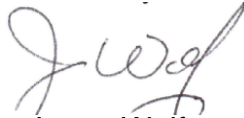
Mr. Andrew Lukazcek

Page 2

July 31, 2020

The Company is hereby requested to submit the settlement amount, interest penalty, and stipulated fines totaling \$1,315.50 in accordance with the provisions of Paragraph 13 of the Consent Order, by August 31, 2020. To ensure proper credit, all payments shall include the Agreement Identification No. AQD40229-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 mailed to the Department of Environment, Great Lakes, and Energy, Accounting Services Division, Cashier's Office, P.O. Box 30657, Lansing, Michigan 48909-8157.

Sincerely,



Jason Wolf  
Enforcement Unit  
Air Quality Division  
WolfJ2@Michigan.gov  
517-275-0943

cc: Mr. Neil Gordon, Department of Attorney General  
Mr. Rex Lane, EGLE  
Ms. Jenine Camilleri, EGLE