



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

July 31, 2020

CERTIFIED MAIL

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

SRN: P0820, Eaton County

Dear Mr. Lukazcek:

VIOLATION NOTICE

On July 15, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Capital Asphalt located at 3888 S. Canal Rd, Lansing, Michigan, during which time Capital Asphalt was asked by AQD staff to provide records for Lukazcek Excavating & Drainage, LLC's (Lukazcek) crushing operations that were occurring at the Capital Asphalt site over a specified time period. The purpose of this records request was to determine 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); and the Air Pollution Control Rules.

During review of the records staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
FGCRUSHING	PTI 82-17 SC 1.13(b)	Failure to submit a relocation notice.

Capital Asphalt provided invoices (invoice date 12/31/19) indicating that Lukazcek had crushed 1,300 tons of concrete between October 2019 and November 2019, at Capital Asphalt. A relocation notice for these crushing operations was not received by the AQD; therefore, a violation of Permit to Install No. 82-17, condition 1.13(b) exists for failure to submit a relocation notice.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by August 21, 2020 (which coincides with 21 calendar days from the date of this letter). The written response should include: Records of the dates, locations, and amount of material processed at each location from October 2019 through June 2020; 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

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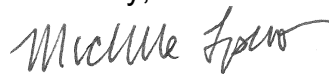
proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the written response to EGLE, AQD, Lansing District, at Constitution Hall, First Floor South, 525 W. Allegan, P.O. Box 30242, Lansing, Michigan 48909 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. Please also submit an email copy of the written response to Michelle Luplow at luplowm1@michigan.gov; Chance Collins at collinsc21@michigan.gov; and Rex Lane at laner@michigan.gov.

If Lukazcek 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. 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,



Michelle Luplow
Environmental Quality Analyst
Air Quality Division
517-294-9294

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Brad Myott, EGLE
Mr. Rex Lane, EGLE
Mr. Chance Collins, EGLE
Mr. Jason Wolf, EGLE