



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

August 16, 2024

UPS NEXT DAY DELIVERY

Garrett Borek
Borek Excavating
5262 Phillips Road
Clifford, Michigan 48727

SRN: U79145911; Tuscola County

Dear Garrett Borek:

SECOND VIOLATION NOTICE

On April 29, 2024, the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Borek Excavating's (Company) gravel pit located at 4902 Snover Road, Silverwood, Michigan. The purpose of the inspection was to determine the Company's compliance with the requirements of the federal Clean Air Act; and Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; the Air Pollution Control Rules; and to investigate a complaint which was received on April 27, 2024, regarding fugitive dust attributed to a crusher being operated by the Company.

On May 7, 2024, the AQD sent the Company a Violation Notice (VN) citing a violation because of the inspection and requested a written response by May 28, 2024. A copy of this VN has been enclosed for your reference. As of the date of this letter, the AQD has not received the Company's written response to the cited violation.

Please be advised that failure to respond in writing and identifying actions taken to resolve the cited violation may result in an escalated enforcement action by the AQD. Please submit the information requested in the VN dated May 7, 2024, by August 30, 2024, which corresponds to 14 days from the date of this letter.

The written response should be submitted to Adam Shaffer at EGLE, AQD Bay City District, at 401 Ketchum Street, Suite B, Bay City, Michigan 48708, and must include a copy to Jenine Camilleri at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. Or the response may be scanned and sent to ShafferA1@Michigan.gov and CamilleriJ@Michigan.gov.

Be further advised that issuance of this VN does not preclude or limit EGLE's ability to initiate any other enforcement action under state or federal law as appropriate.

Borek Excavating
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If you have any questions regarding this matter or the actions necessary to come into compliance, please contact me at the number listed below.

Sincerely,

A handwritten signature in black ink that reads "Erin Moran". The signature is written in a cursive, flowing style.

Erin Moran
Enforcement Unit
Air Quality Division
517-275-0883

cc/enc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Gina McCann, EGLE
Adam Shaffer, EGLE