



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREETHER
DIRECTOR

October 3, 2018

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

Berne Enterprises Inc.
7190 Berne Road
Pigeon, Michigan 48755

SRN: A1453; Huron County

ATTENTION: Mr. Keith Wurst, President

This letter is to advise you of the commencement of escalated enforcement action against Berne Enterprises, Inc. This letter follows the June 18, 2018 and August 29, 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 (NREPA), MCL 324.5501 *et seq.*, the administrative rules promulgated thereunder, specifically Rule 201 and Rule 910 of the Michigan Air Pollution Control Rules, Mich Admin Code, R 336.1201 and R 336.1910, and 40 CRF Part 63, Subpart ZZZZZ, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Iron and Steel Foundries Area Sources.

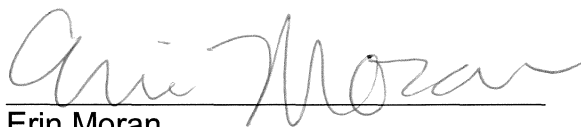
The AQD is providing the Company with an opportunity to formally resolve these violations through the entry of a legally enforceable agreement that will include a compliance program and payment of an appropriate monetary penalty pursuant to Section 5528 of Part 55 of NREPA, MCL 324.5528.

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. 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.

Please contact me at 517-284-6769, or by email at morane@michigan.gov, no later than Wednesday, October 17, 2018, to schedule a meeting to discuss the resolution of this matter.

Mr. Keith Wurst
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STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

By: 
Erin Moran
Air Quality Division, Enforcement Unit

Date: 10/2/18

cc: Ms. Sarah Marshall, U.S. EPA, Region 5
Mr. Neil Gordon, MDAG
Mr. Chris Hare, MDEQ
Ms. Jenine Camilleri, MDEQ