



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

September 30, 2021

UPS NEXT DAY DELIVERY

Mr. Jimmy Eichstadt  
Arbor Resources, LLC – Simpson T.  
333 West Grandview Parkway, Suite 401  
Traverse City, Michigan 49684

SRN: N6235; Kalkaska County

Dear Mr. Eichstadt:

**SECOND VIOLATION NOTICE**

On January 12, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) notified Arbor Resources, LLC of the requirement to submit a 2020 air pollution report with the required submittal date of March 15, 2021. In response to the non-submittal of this report, a second letter was sent on April 8, 2021, requesting immediate submittal of the Michigan Air Emissions Reporting System (MAERS) forms required pursuant to Mich Admin Code, R 336.1202 (Rule 202) of the administrative rules promulgated under Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451).

On May 10, 2021, the AQD sent the Company a Violation Notice (VN) citing violations of Rule 202. The AQD requested the Company's response by May 24, 2021. 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 submittal of the 2020 air pollution report or a response to the cited violations.

Please be advised that failure to respond in writing and identifying actions the Company will take or has taken to resolve the cited violation may result in an escalated enforcement action by the AQD. Please submit the 2020 air pollution report and provide a written response with the information requested in the VN dated May 10, 2021, by **October 14, 2021**, which corresponds to 14 days from the date of this letter.

The Company's written response must be submitted to Ms. Caryn Owens, EGLE, AQD, Cadillac District Office, at 120 West Chapin Street, Cadillac, Michigan 49601 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan, 48909-7760.

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

If you have any questions regarding this matter or the actions necessary to bring the Company into compliance, please contact me at the number listed below or email at MoranE@Michigan.gov.

Sincerely,

A handwritten signature in cursive script that reads "Erin Moran".

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

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Shane Nixon, EGLE  
Ms. Caryn Owens, EGLE