



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
GRAND RAPIDS DISTRICT OFFICE



C. HEIDI GREYER  
DIRECTOR

May 25, 2017

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

SRN: P0816, Branch County

Dear Mr. Lukazcek:

**VIOLATION NOTICE**

On May 11, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), received an application for a General Permit to Install from Lukazcek Excavating and Drainage, LLC located at 311 North Briggs Road, Quincy, Michigan and a review of information commenced. The purpose of this review was to determine Lukazcek Excavating and Drainage, LLC's 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 the review, staff determined the following:

Process Description	Rule/Permit Condition Violated	Comments
350 ton per hour crushing plant, including crusher, screen and conveyor	Rule 336.1201	Failure to obtain a Permit to Install
350 ton per hour crushing plant, including crusher, screen and conveyor	40 CFR Part 60, Subpart OOO, New Source Performance Standards (NSPS) for Nonmetallic Mineral Processing Plants 60.676(i)	Failure to submit actual date of initial startup of each affected facility
350 ton per hour crushing plant, including crusher, screen and conveyor	40 CFR Part 60, Subpart OOO, New Source Performance Standards (NSPS) for Nonmetallic Mineral Processing Plants 60.675(b)	Failure to conduct Method 9 performance testing

During the information review, it was identified that Lukazcek had installed and commenced operation of the crushing operations at this facility as early as 2015.

Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

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This process is also subject to the federal Standards of Performance for New Sources (NSPS) for Nonmetallic Mineral Process Plants. These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart OOO. Therefore, due to the notification and testing requirements found therein, the equipment is in violation of the NSPS. As such, the equipment no longer qualifies for the General Permit to Install, and a Permit to Install must be obtained.

A program for compliance may include a completed PTI application for the crushing operations process equipment. An application form is available by request, or at the following website: [www.michigan.gov/deqair](http://www.michigan.gov/deqair) (in the shaded box on the upper right hand side of the page)

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by June 15, 2017 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; 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 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.

If Lukazcek Excavating and Drainage, LLC 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,



April Lazzaro  
Senior Environmental Quality Analyst  
Air Quality Division  
616-356-0248

cc: Ms. Heidi Hollenbach, DEQ  
cc/via e-mail: Ms. Lynn Fiedler, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Mr. Christopher Ethridge, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Mary Douglas, DEQ