



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

July 25, 2019

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

St. Mary's Cement, Inc.
16000 Bells Bay Road
Charlevoix, Michigan 49720

SRN: B1559; Charlevoix County

ATTENTION: Mr. Matthew Simon, Operations Manager

This letter is to advise you of the commencement of escalated enforcement action against St. Mary's Cement, Inc. (Company). This letter follows the December 19, 2018; February 12, 2019; and May 29, 2019 Violation Notices issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), 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 944 of the Michigan Air Pollution Control Rules; Mich Admin Code, R 336.1944; and Permit to Install (PTI) No. 140-15.

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 EGLE's ability to initiate any other enforcement action under federal or state law as appropriate.

ENFORCEMENT NOTICE

Mr. Matthew Simon

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Please contact me at 517-284-6769, or by email at morane@michigan.gov, no later than Wednesday, August 7, 2019 to schedule a meeting to discuss the resolution of this matter.

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

By: 

Erin Moran

Air Quality Division, Enforcement Unit

Date: 7/25/19

cc: Ms. Sarah Marshall, U.S. EPA, Region 5
Mr. Neil Gordon, MDAG
Mr. Shane Nixon, EGLE
Ms. Jenine Camilleri, EGLE