



If you have any questions concerning this action, please contact Natalie Ruiz at 317-233-7572 or nsruiz@idem.in.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "David P. McIver".

For David P. McIver, Chief  
Enforcement Section  
Office of Air Quality

Enclosure

cc: Eddie Jarrett-Montano, Plant Manager, rjarrett@gemstoness.com  
Tim Cole, Operations Manager, tim@gemstoness.com  
Doug Elliott, Consultant, dougelliott@dbesi.com  
Elkhart County Health Department  
Natalie Ruiz, Compliance and Enforcement Branch, OAQ  
Adrienne Balla, Compliance and Enforcement Branch, OAQ  
Randy Hoffman, Compliance and Enforcement Branch, OAQ  
<http://www.IN.gov/idem>



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204  
(800) 451-8027 • (317) 232-8803 • Fax (317) 233-8847 • [www.idem.IN.gov](http://www.idem.IN.gov)

Mike Braun  
Governor

Clint Woods  
Commissioner

Respondent Name: Newlett, Inc. dba Gemstone  
Case Number: 2025-31003-A

## **AGREED ORDER**

Complainant and Respondent desire to settle and compromise this action without hearing or adjudication of any issue of fact or law, and consent to the entry of the following Findings of Fact and Order. Pursuant to IC 13-30-3-3, entry into the terms of this Agreed Order does not constitute an admission of any violation contained herein. Respondent's entry into this Agreed Order shall not constitute a waiver of any defense, legal or equitable, which Respondent may have in any future administrative or judicial proceeding, except a proceeding to enforce this order.

## **I. FINDINGS OF FACT**

1. Complainant is the Commissioner ("Complainant") of the Indiana Department of Environmental Management ("IDEM"), a department of the State of Indiana created by Indiana Code ("IC") 13-13-1-1.
2. Respondent is Newlett, Inc. dba Gemstone ("Respondent"), which owns and operates the stationary sink, counter top, and shower based polymer casting source with Plant ID No. 039-00872, located at 2040 Industrial Parkway in Elkhart, Elkhart County, Indiana ("Site").
3. IDEM has jurisdiction over the parties and the subject matter of this action.
4. Pursuant to IC 13-30-3-3, IDEM issued a Notice of Violation ("NOV") via certified mail to:  
  
Chris Graff, President &  
Registered Agent  
Newlett, Inc.  
2040 Industrial Parkway, Front Bldg  
Elkhart, IN 46516
5. At the time of an inspection conducted on August 5, 2025, the following violations were in existence or observed at the Site by a representative of IDEM's Office of Air Quality ("OAQ").

Visit [on.IN.gov/survey](https://on.IN.gov/survey) or scan the QR code to provide feedback.

*We appreciate your input!*



Let's keep it moving. 01/2/2024

- a. Pursuant to Federally Enforceable State Operating Permit No. 039-42245-00872 ("Permit"), Condition D.1.8, to document compliance status with Conditions D.1.1 and D.1.2, Respondent shall submit a quarterly summary not later than thirty (30) days after the end of the quarter.

Respondent failed to submit a complete quarterly summary report for the Fourth Quarter of 2020, and the First and Second quarters of 2021, in violation of Permit Condition D.1.8.

- b. Pursuant to Permit Conditions D.1.3, D.2.2, D.3.2, and corresponding conditions in subsequent permits, a preventative maintenance plan is required for these facilities and their control devices.

Respondent failed to maintain a preventative maintenance plan from December 2020 through August 5, 2025, in violation of Permit Conditions D.1.3, D.2.2, D.3.2, and corresponding conditions in subsequent permits.

- c. Pursuant to Permit Conditions D.2.4 and D.2.5(a), and corresponding conditions in subsequent permits, Respondent shall perform and maintain records of daily visible emission notations of the sanding and grinding operation (SG1) stack exhaust (Stack DC1).

Respondent failed to perform and maintain records of daily visible emission notations of the sanding and grinding operation (SG1) stack exhaust (Stack DC1) on multiple dates from December 2020 to August 5, 2025, in violation of Permit Conditions D.2.4 and D.2.5(a), and corresponding conditions in subsequent permits.

6. In recognition of the settlement reached, Respondent waives any right to administrative and judicial review of this Agreed Order.

## **II. ORDER**

1. This Agreed Order shall be effective ("Effective Date") when it is adopted via signature by Complainant or Complainant's delegate, and the adopted Agreed Order has been received by Respondent. This Agreed Order shall have no force or effect until the Effective Date. This offer to settle the allegations contained in this Agreed Order does not bind or obligate the parties of this enforcement action if the Agreed Order is not adopted.
2. Respondent is assessed a civil penalty of Five Hundred Dollars (\$500.00). Respondent shall pay said penalty amount no later than fifteen (15) days after the Effective Date ("Due Date"). In the event that the civil penalty is not paid by the Due Date, Respondent shall pay interest on the unpaid balance at the rate established by IC 24-4.6-1-101.

3. In the event the terms and conditions of this Agreed Order are violated, Complainant may seek additional relief.
4. Civil penalties are payable by check to the "Environmental Management Special Fund." Checks shall include the Case Number of this action and shall be mailed to:  
  
Indiana Department of Environmental Management  
Accounts Receivable  
Indiana Government Center North  
100 North Senate Avenue, Room 13E  
Indianapolis, IN 46204
5. This Agreed Order shall apply to and be binding upon Respondent and its successors and assigns. Respondent's signatories to this Agreed Order certify that they are fully authorized to execute this Agreed Order and legally bind the party they represent. No change in ownership, corporate, or partnership status of Respondent shall in any way alter its status or responsibilities under this Agreed Order.
6. In the event that any terms of this Agreed Order are found to be invalid, the remaining terms shall remain in full force and effect and shall be construed and enforced as if this Agreed Order did not contain the invalid terms.
7. This Agreed Order is not and shall not be interpreted to be a permit or a modification of an existing permit. This Agreed Order, and IDEM's review or approval of any submittal made by Respondent pursuant to this Agreed Order, shall not in any way relieve Respondent of its obligation to comply with the requirements of its applicable permit or any applicable Federal or State law or regulation.
8. Complainant does not, by its approval of this Agreed Order, warrant or aver in any manner that Respondent's compliance with any aspect of this Agreed Order will result in compliance with the provisions of any permit, order, or any applicable Federal or State law or regulation.
9. Nothing in this Agreed Order shall prevent or limit IDEM's rights to obtain penalties or injunctive relief under any applicable Federal or State law or regulation, except that IDEM may not, and hereby waives its right to, seek additional civil penalties for the same violations specified in the NOV.
10. Nothing in this Agreed Order shall prevent IDEM or anyone acting on its behalf from communicating with the United States Environmental Protection Agency ("EPA") or any other agency or entity about any matters relating to this enforcement action. IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of such communications with the EPA or any other agency or entity.

11. The parties were free to consult with their respective counsel regarding entry into this Agreed Order to the extent each deemed necessary.

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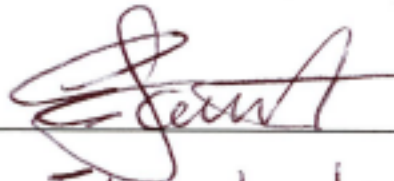
TECHNICAL RECOMMENDATION:  
Department of Environmental  
Management



By: \_\_\_\_\_  
Jennifer Bailey,  
Technical Environmental Specialist  
Enforcement Section  
Office of Air Quality

Date: August 20, 2025

RESPONDENT: \*  
Newlett, Inc. dba Gemstone

By:  \_\_\_\_\_

Printed: Edward Jarrett


Title: General Manager

Date: December 16, 2025

APPROVED AND ADOPTED BY THE INDIANA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT THIS


6th DAY OF January, 20 26

For the Commissioner:

By:  \_\_\_\_\_  
Matthew Stuckey, Assistant  
Commissioner  
Office of Air Quality  
Indiana Department of Environmental  
Management

\* In the event that Respondent does not accept the settlement offer contained in this Agreed Order, IDEM notes that this document is a qualified offer of settlement, and therefore Rule 408 of Indiana Rules of Evidence applies to this document, rendering it inadmissible.



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature</p> <p><input checked="" type="checkbox"/> <i>Chris Craff</i> <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p>																	
<p>1. Article Addressed to:</p> <p>60-02-Agjr EXP AAO 2025-31003-A CHRIS CRAFF PRESIDENT &amp; REGISTERED AGENT NEWLETT INC 2040 INDUSTRIAL PKWY FRONT BLDG ELKHART IN 46516</p>  <p>9590 9402 9598 5121 9146 33</p>	<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery</p>																
<p>2. Article Number (Transfer from service label)</p> <p>9589 0710 5270 0682 2453 83</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail™</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery</td> <td></td> </tr> </table>		<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery Restricted Delivery		<input type="checkbox"/> Insured Mail™		<input type="checkbox"/> Insured Mail Restricted Delivery	
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