



GRETCHEN WHITMER  
GOVERNOR

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



PHILLIP D. ROOS  
DIRECTOR

November 7, 2023

UPS NEXT DAY DELIVERY

**ENFORCEMENT NOTICE**

In the matter of:

Dennis Moore  
Triple D Excavating & Moore, LLC  
8142 East Eureka Road  
Eau Claire, Michigan 49111

Brian Meyer  
First Church of God in Saint Joseph  
5801 Old Pipestone Road  
Eau Claire, Michigan 49111

SRN: U112305836; Berrien County

ATTENTION: Dennis Moore and Brian Meyer:

This letter is to advise you of the commencement of an escalated enforcement action against Triple D Excavating & Moore, LLC, and First Church of God in Saint Joseph (Companies) for alleged violations that occurred at 6626 East Main Street, Eau Claire, Michigan. This letter follows the September 27, 2023, Violation Notice issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) which details violations of the National Emission Standards for Hazardous Air Pollutants for asbestos (Asbestos NESHAP), Title 40 of the Code of Federal Regulations, Part 61, Subpart M; and Rule 942 of the Michigan Air Pollution Control Rules, Mich Admin Code, R 336.1942. These regulations hold all owners and operators, such as contractors and/or subcontractors, fully liable for compliance with the Asbestos NESHAP.

The AQD is providing the Companies 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 (DAG) 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**

Triple D Excavating & Moore, LLC  
First Church of God in Saint Joseph  
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Please contact me at 517-275-0943 no later than Tuesday, November 21, 2023, to schedule a meeting to discuss the resolution of this matter. You may also contact me by email at [WolfJ2@Michigan.gov](mailto:WolfJ2@Michigan.gov).

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

By:  \_\_\_\_\_  
Jason Wolf  
Air Quality Division, Enforcement Unit

Date: 11/7/2023

cc: Mark Miller, Miller Johnson Schroeder, PLC  
Margaret Bettenhausen, DAG  
Jeremy Howe, EGLE  
Jenine Camilleri, EGLE