



GRETCHEN WHITMER  
GOVERNOR

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

LANSING

**EGLE**  
LIESL EICHLER CLARK  
DIRECTOR

February 4, 2022

UPS NEXT DAY DELIVERY

Mr. Steven Pitsch  
Pitsch Companies  
675 Richmond Street NW  
Grand Rapids, Michigan 49504

Mr. Jeff Kern  
3171 West Olympic Boulevard  
Los Angeles, California 90006  
ID: U562106365; Midland County

Dear Mr. Pitsch and Mr. Kern:

**VIOLATION NOTICE**

On January 28, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection at Pitsch Landfill located at 7905 Johnson Road, Belding, Kent County, Michigan.

The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR), Part 61, Subpart M (National Emission Standard for Asbestos), and Rule 942 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to our investigation, Mr. Kern is the owner of the property at 1500 Wackerly Street, Midland, Michigan and Demolition Contractors of Pitsch Companies performed the demolition activities at the site. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the investigation staff observed the following:

The subject structure located at 1500 Wackerly Street was being demolished with asbestos containing material still in place. The Ordered Demolition Notification that was submitted, stated that the debris generated from the demolition was being sent to the Whitefeather Landfill located in Pinconning, Michigan. It was discovered, while conducting an inspection at the Pitsch Landfill, that 4 loads of metal, which was manifested as friable asbestos, was delivered to Pitsch Landfill and not Whitefeather Landfill.

Process Description	Section Violated	Comments
Manifested friable asbestos was delivered to a different landfill other than listed on notification.	40 CFR §61.145(b)(2)	Failure to update notification.

## VIOLATION NOTICE

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Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by February 25, 2022 (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation, and the date(s) by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The *signed* written response from the *owner and operator* to this violation notice, may be submitted by mail and directed to my attention at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. You must also include a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and emailed to BrownJ9@Michigan.gov and WolfJ2@Michigan.gov.

If you believe the above observations or statements are inaccurate or do not constitute a violation of the applicable legal requirements cited, please provide appropriate factual information to explain your position.

Thank you for your attention to resolving the violation cited above and for the cooperation extended to me during our conversation. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-599-7825; e-mail at BrownJ9@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Jeremiah Brown  
Senior Environmental Quality Analyst  
Air Quality Division

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Mr. Christopher Ethridge, EGLE  
Mr. Chris Hare, EGLE  
Ms. Karen Kajiya-Mills, EGLE  
Mr. Jason Wolf, EGLE