



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

February 1, 2024

VIA USPS

David J. Robinson
270 South Lester Street
White Cloud, Michigan 49349

Ryan Robinson
4677 East 2 mile Road
White Cloud, Michigan 49349

ID: U622400121; Newaygo County

Dear David J. Robinson and Ryan Robinson:

VIOLATION NOTICE

On January 4, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection of a commercial building located at 276 South Charles Street, White Cloud, Newaygo 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, David J. Robinson and Ryan Robinson is the owner and conducted demolition/cleanup 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 276 South Charles Street was demolished in March 2023 at the order of the fire department to assist in extinguishing the fire. The burnt debris was still on-site and removed on or around December 27, 2023. There was no asbestos survey conducted prior to the fire or removal of the debris. Because of this, ALL debris must be treated as asbestos containing waste material. After looking at the Asbestos Notification System it was determined that a 10-working day notification was not submitted prior to removal of debris from the previous demolition activities. After further investigation, it was determined that other violations had occurred such as the debris was not kept wet, there was no contractor supervisor trained person on-site during the removal of the debris, and the debris was not manifested and disposed of as asbestos containing waste material in a Type 2 landfill.

Process Description	Section Violated	Comments
Failure to provide 10 working day notification.	40 CFR §61.145(b)(1)	Failed to submit a 10-working day notification prior to demolition of subject building.

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Failure to keep asbestos-containing waste material wet	40 CFR §61.145(c)(1)(iii)	Failure to keep asbestos containing waste material wet
Failure to keep wet during handling and loading for transport to a disposal site	40 CFR §61.150(a)(3)	Asbestos containing waste material was dry in dumpster that was onsite.
No Contractor supervisor on site.	40 CFR §61.145(c)(8)	
Failure to deposit asbestos containing waste material at a Type II landfill	40 CFR §61.150(b)(1)	
Failure to have waste shipment record.	40 CFR §61.150(d)(1)	

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by February 23, 2024 (which coincides with 22 calendar days from the date of this letter). The written response should include: the date(s) 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 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 Jeremy Howe, TPU Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 and submit a copy to Jason Wolf, Enforcement Unit, at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and e-mailed to HoweJ1@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: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Heidi Hollenbach, EGLE
Jeremy Howe, EGLE
Jason Wolf, EGLE