



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

April 16, 2024

VIA USPS

Zachery Huss
4728 East 44th Street
Chase, Michigan 49623

SRN/ID: U672402218; Osceola County

Dear Zachery Huss:

VIOLATION NOTICE

On March 21, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection of a vacant lot located at 116 East Osceola Avenue, Reed City, Osceola County.

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, Zachery Huss is the owner, and it was undetermined who conducted 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 structure that was located at 116 East Osceola Avenue was demolished and the debris was removed from the site. It was determined that the house was demolished for commercial development which makes it subject to the Asbestos NESHAP. At the time of the letter, it was undetermined who demolished the structure and if an asbestos survey was conducted prior to demolition. After looking at the Asbestos Notification System it was determined that a 10-working day notification was not submitted prior to the demolition of the structure.

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

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by May 10, 2024. The written response should include:

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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 violations 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