



GRETCHEN WHITMER  
GOVERNOR

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

LANSING

**EGLE**  
LIESL EICHLER CLARK  
DIRECTOR

May 11, 2021

UPS NEXT DAY DELIVERY

Mr. Dane Deisler  
9146 South Michelle Drive  
Durand, Michigan 48429

Mr. Don Henry  
Don Henry Construction  
7675 Newberry Drive  
Durand, Michigan 48429  
SRN/ID: U782101017, Shiawassee County

Dear Mr. Deisler and Mr. Henry:

**VIOLATION NOTICE**

On March 23, 2021; and May 6, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted inspections at 230 West Main Street, Durand, Shiawassee County. The purpose of these inspections were 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 my investigation, Dane Deisler is the owner of the facility and Don Henry Construction is the operator who was scheduled to perform the demolition activities. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the inspections, EGLE staff observed the following:

On March 23, 2021, during a pre-demolition inspection, suspect roofing material was sampled and tested for quality assurance. The roof flashing tested positive for asbestos. Notification Document Number 202102450-RO indicated that no asbestos was present. A request was made for a copy of the asbestos report. No report has been received by the administrator to date.

On May 6, 2021, an inspection of the scheduled demolition was made. Upon arrival, no demolition was occurring, and no demolition had been performed. Notification Document Number 202102450-RO had a project start date of May 3, 2021. The owner and operator did not revise their notification to reflect a new project start date.

## VIOLATION NOTICE

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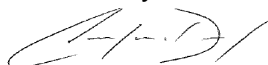
Process Description	Section Violated	Comments
On March 23, 2021 and May 6, 2021, EGLE-AQD staff performed inspections on the subject facility located at 230 West Main Street, Durand. The facility was not demoed according to the notification's project schedule.	40 CFR §61.145(a)  40 CFR §61.145(b)(2)(iv)(A)(1)(2)	Failure to thoroughly inspect.  Failed to update notice as necessary.

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by June 1, 2021, (which coincides with 21 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 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 DechyC@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. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; or e-mail at DechyC@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Craig W. Dechy  
Environmental Quality Analyst  
Air Quality Division

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