



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GREYHER  
DIRECTOR

June 20, 2018

Mr. Bob Morford  
The Miller Group / Zestos, John D. - TRUST  
1515 Delta Drive  
Saginaw, Michigan 48603

Mr. Mike Bublitz  
Bierlein Companies, Inc.  
2000 Bay City Road  
Midland, Michigan 48642

SRN: U091803075, Bay County

**VIOLATION NOTICE**

Dear Mr. Morford and Mr. Bublitz:

On Thursday, June 14, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of the Former Howard Johnson Restaurant located at 6295 Westside Saginaw Road, Bay City, Michigan 48706. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations, 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, The Miller Group / Zestos, John D. - TRUST owns the facility and Bierlein Companies, Inc. performed the abatement and demolition activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, staff observed the following:

Process Description	Section Violated	Comments
Ceiling tile, northwest corner of restaurant to right of front entrance was left in after abatement was finished and was left in during demolition.	§61.145(a)	Failure to thoroughly inspect.
	§61.145(c)(1)	Failure to remove RACM.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by Wednesday July 11, 2018 (which coincides with 21

Mr. Bob Morford / Mr. Mike Bublitz

Page 2

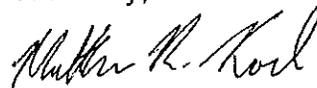
June 21, 2018

calendar days from the date of this letter). The written response should include: the dates 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 dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The signed written response from the owner (The Miller Group / Zestos, John D. - TRUST) and operator (Bierlein Companies, Inc) to this violation notice may be submitted by email to karlm@michigan.gov or faxed to the Saginaw Bay District Office at 989-891-9237.

If Bierlein Companies, Inc. or The Miller Group / Zestos, John D. - TRUST believe the above observations or statements are inaccurate or do not constitute violations 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 that was extended to me during my inspection of the former Howard Johnson Restaurant. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please call me at the number listed below.

Sincerely,



Matthew Karl  
Environmental Quality Analyst  
Air Quality Division  
989-439-3779

Enclosure(s)

cc/via email: Ms. Mary Ann Dolehanty, DEQ  
Mr. Craig Fitzner, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Jenine Camilleri, DEQ  
Ms. Karen Kajiya-Mills, DEQ  
Mr. Chris Hare, DEQ