



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

May 3, 2018

Mr. Patrick Harris
Hidden Harbors Villas
305 West Locust Street
Three Oaks, Michigan 49128

SRN / ID: U111801976; Berrien County

Dear Mr. Harris:

SECOND VIOLATION NOTICE

On March 21, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) complaint inspection at 305 West Locust Street, Three Oaks, Berrien County. 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 my investigation, Hidden Harbors Villas owns the subject facility and Lakeshore Roll-off and Demolition, Inc., performed the demolition. The National Emission Standard for Asbestos holds both the owner and operator equally liable for any violations.

During the complaint investigation, staff observed the following:

Demolition activities have taken place on an apartment unit that was partially destroyed by a fire. Neither the owner nor the operator had a thorough asbestos inspection performed on the facility and no "Notification of Intent to Renovate/Demolish" was submitted to the administrator prior to the demolition activities.

| Process Description | Section Violated | Comments |
|--|----------------------|---|
| During the complaint investigation of 305 West Locust, Three Oaks, Berrien County, staff observed a demolition of an apartment unit. | 40 CFR 61.145 (a) | Failure to thoroughly inspect for the presence of asbestos. |
| | 40 CFR 61.145 (b)(1) | Failure to provide the administrator with a written notice of intent to Renovate/Demolish |

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On April 3, 2018, the AQD issued you a Violation Notice citing violations discovered because of a complaint investigation and requested your written response by April 24, 2018. The violation has been reiterated above for your convenience. As of this date we have not received a response with an adequate compliance plan addressing the violations that occurred on or about March 20, 2018.

Please be advised that failure to respond in writing and identifying actions you will take or have taken to resolve the cited violations may result in escalated enforcement action by the AQD. **Please provide the information requested in our April 3, 2018, letter by May 13, 2018**, which corresponds with 10 calendar days from the date of this letter. The signed written response to this violation notice may be submitted by mail and directed to my attention at; DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909 or scanned and emailed as an attachment to me at; dechyc@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 that was extended to me during my site visit. If you have any questions regarding this violation notification or actions necessary to bring the facility into compliance, please contact me at 517-749-2891; dechyc@michigan.gov; or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Mary Douglas, DEQ
Mr. Malcolm Mead-O'Brien, DEQ
Ms. Karen Kajiya-Mills, DEQ