



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREYER  
DIRECTOR

June 13, 2017

Mr. Edward Graham  
Montrose Community Schools  
300 Nanita Drive  
P.O. Box 3129  
Montrose, Michigan 48457

Mr. Wayne Atwell  
TNA Excavating, Inc.  
11450 Nichols Road  
Burt, Michigan 48417

SRN / ID: U25170046; Genesee County

Dear Mr. Graham and Mr. Atwell:

**VIOLATION NOTICE**

On June 7, 2017, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) complaint investigation at 126 Hickory Street, Montrose, Genesee County. The purpose of this investigation 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 (Act 451).

According to my investigation, Montrose Community Schools owns the subject facility and TNA Excavating, Inc., performed the demolition activities at this site. The demolition took place on or about June 6, 2017. The National Emission Standard for Asbestos holds both the owner and operator equally liable for the violations.

During the investigation, MDEQ-AQD staff Craig Dechy observed the following: The former schoolhouse was in the process of being demolished. The liable parties failed to perform a thorough inspection of the facility and also failed to provide a 10-working day Notification of Intent to Renovate/Demolish prior to starting any demolition activities.

Process Description	Section Violated	Comments
An anonymous complaint was filed regarding fugitive dust issues at 126 Hickory Street, Montrose, Genesee County	40 CFR 61.145 (a)	Failure to thoroughly inspect.
	40 CFR 61.145 (b)(1)(3)(i)	Failed to provide the Administrator with written notice.

Mr. Edward Graham  
Mr. Wayne Atwell  
Page 2  
June 13, 2017

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by July 4, 2017, (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 dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence. 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 to me as an attachment, at [dechyc@michigan.gov](mailto: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 violations cited above and for the cooperation that was extended to me during my site visit and phone conversations. If you have any questions regarding this violation notification or the actions necessary to bring this facility into compliance, please feel free to contact me at 517-749-2891; [dechyc@michigan.gov](mailto: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. Lynn Fiedler, MDEQ  
Ms. Mary Ann Dolehanty, MDEQ  
Mr. Christopher Ethridge, MDEQ  
Mr. Brad Myott, MDEQ  
Mr. Thomas Hess, MDEQ  
Ms. Karen Kajiya-Mills, MDEQ