



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREYER  
DIRECTOR

November 7, 2017

Mr. Bryan Graham  
Mr. Digger Ponds, LLC  
4860 Howe Road  
DeWitt, Michigan 48820

Mr. Saied Ghannam  
Rotunda Properties, LLC  
17635 Wayne Road  
Livonia, Michigan 48152

SRN / ID: U4191708607; Clinton County

Dear Mr. Graham & Mr. Ghannam

**VIOLATION NOTICE**

On November 3, 2017, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD), performed an asbestos inspection at 16961 South Old U.S. 27, DeWitt Township, Clinton County, Michigan. 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 (Act 451).

According to our investigation, Rotunda Properties, LLC owns the property, and Mr. Digger Ponds, LLC performed the demolition activities. The National Emission Standard for Asbestos holds both the owner and the operator liable for all violations.

During the investigation, DEQ AQD staff, Mr. Jeremiah Brown observed/discovered the following:

The structure had been demolished without a notification being submitted. It was also discovered that an asbestos survey/inspection had not been done prior to the work activities being started at the site.

Process Description	Section Violated	Comments
No 10-day notification was submitted, and no asbestos survey was conducted before demolition	§61.145(b)(1)	Failure to provide a 10-working day notification
	§61.145(a)	Failure to thoroughly inspect

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Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by November 28, 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 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 (Rotunda Properties, LLC) and operator (Mr. Digger Ponds, LLC) 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 sent as an email attachment to brownj9@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 the 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 meeting and emails. 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; brownj9@michigan.gov; or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Jeremiah Brown  
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