



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



KEITH CREAGH
DIRECTOR

January 19, 2016

ENFORCEMENT NOTICE

In the matter of:

Mr. Gary Fogelsonger
Fogelsonger Vault Company
1617 Lewis Street
Bay City, Michigan 48706

SRN: N3247, Bay County

ATTENTION: Mr. Fogelsonger:

This letter is to advise you of the commencement of escalated enforcement action against Fogelsonger Vault Company. This letter follows the December 15, 2015 and January 6, 2016 Violation Notices (VN) issued by the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD) which detailed violations of Permit to Install (PTI) 105-11 and 44-15.

The AQD is hereby providing you with an opportunity to demonstrate compliance, present factual information in writing that should be considered regarding the violations and meet to discuss options for satisfactorily resolving the violations. This proposed resolution would include, among other things, a compliance schedule and an appropriate monetary penalty. Please contact me no later than Friday, January 29, 2016, to schedule a meeting to discuss the resolution of this matter.

Be advised that failure to respond to this Enforcement Notice in a timely manner and adequately resolve or address the cited violations may result in further enforcement proceedings including, but not limited to, referral of the matter to the Department of Attorney General (MDAG) for commencement of civil litigation. Be further advised that this Enforcement Notice does not preclude or limit the MDEQ's ability to initiate any other enforcement action under federal or state law as appropriate.

Sincerely,

Jason Wolf
Enforcement Unit
Air Quality Division
517-284-6772
wolfj2@michigan.gov

cc: Ms. Sarah Marshall, EPA, Region 5
Mr. Neil Gordon, MDAG
Mr. Chris Hare, MDEQ
Mr. Thomas Hess, MDEQ