



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREYER  
DIRECTOR

April 3, 2018

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

Mr. Dave Workman  
Lakeshore Recycling & Disposal, LLC  
139 North Whittaker  
New Buffalo, Michigan 49117

Dear Mr. Harris and Mr. Workman:

SUBJECT: SRN/ID: U111801976; Berrien County

**VIOLATION NOTICE**

On March 21, 2018, the Department of Environmental Quality (DEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) complaint investigation 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 (Act 451).

According to my investigation, Hidden Harbor Villas owns the subject facility and Lakeshore Recycling & Disposal, LLC is the contractor performing the demolition activities. 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 fire. Neither the owner nor the operator had a thorough asbestos inspection performed on the subject 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 the subject facility located at 305 West Locust Street, Three Oaks, Berrien County, staff observed a demolition of an apartment unit. No thorough inspection had been performed and no notification had been submitted.	40 CFR 61.145 (a)	Failure to thoroughly inspect for the presence of asbestos.
	40 CFR 61.145 (b)(1)	Failed to provide the Administrator with written notice of intention to demolish

Mr. Patrick Harris and Mr. Dave Workman

Page 2

April 3, 2018

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by April 24, 2018, (which coincides with 21 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 to this violation notice may be submitted by mail and directed to my attention at DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scanned and emailed as an attachment to me 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 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 the violation notification or the actions necessary to bring this facility into compliance, please 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. 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