



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



LIESL EICHLER CLARK
DIRECTOR

September 18, 2019

UPS NEXT DAY DELIVERY

Mr. Eric Dale
Walters Dimmick Petroleum, Inc.
1620 South Kalamazoo Avenue
Marshall, Michigan 49068

Mr. Douglas Miller
D.E. Excavating
1302 Seymour Avenue
Jackson, Michigan 49202

SRN/ID: U141908825; Cass County

Dear Mr. Dale and Mr. Miller:

VIOLATION NOTICE

On September 12, 2019, the Department of Environment, Great Lakes, and Energy (EGLE); Air Quality Division (AQD), performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 172 Main Street, Marcellus, Cass County. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR), 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, Walters Dimmick Petroleum, Inc., owns the subject property and D.E. Excavating has performed the demolition activities. The National Emission Standard for Asbestos holds both the *owner and operator* equally liable for any violations.

During the inspection, staff observed the following:

The subject commercial property was in the process of being demolished. The owner and operator failed to provide the administrator with the Notification of Intent to Renovate/Demolish prior to the demolition activities.

Process Description	Section Violated	Comments
On 9-12-19, staff performed an inspection of a demolition at 198 Main Street, Marcellus. During this inspection, staff observed an additional demolition occurring at the neighboring property, 172 Main Street, Marcellus. No notice was submitted for this demolition.	40 CFR 61.145 (b)(1)	Failure to provide the administrator with written notice.

VIOLATION NOTICE

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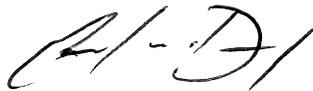
Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by October 9, 2019, which coincides with 21 calendar days from the date of this letter. The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation, and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the signed written response to Mr. Craig Dechy at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760; or scan and email as an attachment to me at Dechyc@michigan.gov and submit a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, at the same mailing address, or via email at Wolfj2@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 our phone conversations. If you have any questions regarding the 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; or EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Rex Lane, EGLE
Mr. Jason Wolf, EGLE
Ms. Karen Kajiya-Mills, EGLE