



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

January 27, 2020

Mr. Rob Cortis
Cortis Excavating & Trenching
1410 Seven Mile Road
Comstock Park, Michigan 49321

Mr. Duane Ring
315 Hayes Street NW
Comstock Park, Michigan 49321

ID: U412000251; Kent County

Dear Mr. Cortis and Mr. Ring:

VIOLATION NOTICE

On January 17, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection of the structures located at 341 Hayes Street NW, Comstock Park, Kent County, Michigan.

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 our investigation, Cortis Excavating & Trenching was the demolition contractor who demolished the structures and Mr. Duane Ring owns the property and the structures. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the investigation staff observed the following:

The subject structures had been demolished and some of the debris was removed from the site. There was no 10-working day Scheduled Demolition Notification submitted prior to demolition. According to the demolition contractor and the owner, an asbestos survey/inspection was not done prior to the demolition. The structures were subject to the NESHAP as being used as a commercial shop several years ago.

Process Description	Section Violated	Comments
Failure to submit a 10-working day Notification and have an asbestos survey done prior to demolition.	40 CFR §61.145(b)(1)	Failure to provide 10-working day Notification.
	40 CFR §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 February 17, 2020 (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 and operator* to this violation notice, may be submitted by mail and directed to my attention at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. You must also include a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and emailed to BrownJ9@Michigan.gov and 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 extended to me during our conversation. If you have any questions regarding the violation notice or the actions necessary to bring these structures into compliance, please contact me at 517-599-7825; BrownJ9@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeremiah Brown', with a long horizontal line extending to the left.

Jeremiah Brown
Environmental Quality Analyst
Air Quality Division

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