



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

June 24, 2024

VIA USPS

Sue Pitcher
Pitcher Perfect Excavating, LLC
190 Pleasant Drive
Six Lakes, Michigan 48886

Brett Ulonch
17000 Morganwood Drive
Sand Lake, Michigan 49343

SRN/ID: U592403353; Montcalm County

Dear Sue Pitcher and Brett Ulonch:

VIOLATION NOTICE

On May 30, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection of the commercial building located at 4971 North Greenville Road, Lakeview, Montcalm 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.

According to our investigation, Brett Ulonch is the owner, and Pitcher Perfect Excavating, LLC conducted the demolition activities. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the investigation staff observed the following:

The structure that was located at 4971 North Greenville Road was in the process of being demolished. The debris was in dumpsters and ready to be hauled out. After speaking with the owner Brett Ulonch, it was determined that an asbestos inspection was not completed prior to the demolition work. I also checked our Asbestos Notification System to see if there was a 10-working day notification submitted. I was unable to find any notification related to this address.

| Process Description | Section Violated | Comments |
|---|----------------------|---|
| Failure to provide 10 working day notification. | 40 CFR §61.145(b)(1) | Failed to submit a 10-working day notification prior to demolition of subject building. |
| Failure to thoroughly inspect. | 40 CFR §61.145(a) | Failed to have an asbestos survey conducted prior to demolition. |

VIOLATION NOTICE

Sue Pitcher and Brett Ulonch

Page 2

June 24, 2024

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by July 19, 2024. 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 Jeremy Howe, TPU Supervisor, at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 and submit a copy to Jason Wolf, Enforcement Unit, at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and e-mailed to HoweJ1@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 this facility into compliance, please contact me at 517-599-7825; e-mail at BrownJ9@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Jeremiah Brown
Senior Environmental Quality Analyst
Air Quality Division

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Heidi Hollenbach, EGLE
Jeremy Howe, EGLE
Jason Wolf, EGLE