



GRETCHEN WHITMER  
GOVERNOR

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

LANSING

**EGLE**  
LIESL EICHLER CLARK  
DIRECTOR

August 3, 2020

UPS NEXT DAY DELIVERY

Ms. Lydia Stanczak  
44317 Highgate Drive  
Clinton Township, Michigan 48038

Chief Keefe Radtke  
Lexington Fire Department  
7227 Huron Avenue  
Lexington, Michigan 48450

SRN/ID: U762002643; Sanilac County

Dear Ms. Stanczak and Chief Radtke:

**VIOLATION NOTICE**

On July 21, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted a complaint investigation at 6815 Lakeshore Road, Lexington, Sanilac County. The purpose of this investigation 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 my investigation, Ms. Stanczak is the owner of the former cottage and the Lexington Fire Department is the entity that performed the intentional burn (controlled burn) of the facility. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the inspection, EGLE staff observed the following:

Charred building and brush debris scattered on a hillside next to Lake Huron. Suspect floor tile was noted and sampled. The sample was tested to determine if the material contained asbestos. The test result indicated that the floor tile contained 2 percent Chrysotile form asbestos fibers. It was determined that neither the cottage owner nor the fire department had an asbestos inspection, and no Notification of Intent to Renovate/Demolish had been submitted to the administrator (State of Michigan) prior to the intentional burn of the facility.

**VIOLATION NOTICE**

Ms. Stanczak and Chief Radtke

Page 2

August 3, 2020

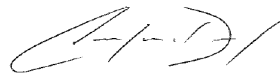
Process Description	Section Violated	Comments
On June 15 and July 20, 2020, EGLE-AQD received two complaints regarding a controlled burn of a cottage and brush. The demo and brush debris remains were then pushed onto the Lake Huron bluff. The facility was located at 6815 Lakeshore Road, Lexington, Sanilac County.	40 CFR §61.145(a)	Failure to thoroughly inspect.
	40 CFR §61.145(b)(1)	Failure to notify.

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by August 24, 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 DechyC@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 violation cited above. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; DechyC@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Craig W. Dechy  
Environmental Quality Analyst  
Air Quality Division

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