



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREYER  
DIRECTOR

March 29, 2017

Mr. Dave Keplar  
TCP Investments  
233 Larkin Street, Suite 2  
Midland, Michigan 48640

Mr. Gordon Wentworth  
Pat's Gradall Service, Inc.  
820 South Jefferson  
Midland, Michigan 48641-1603

SRN/ID: U561700880; Midland County

Dear Mr. Keplar and Mr. Wentworth:

**VIOLATION NOTICE**

On March 20, 2017, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 307 West Indian Street, Midland, Midland 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, TCP Investments owns the subject facility and Pat's Gradall Service, Inc., performed the demolition. The demolition activities took place on or about March 20, 2017. The National Emission Standard for Asbestos holds both the owner and operator equally liable for any violations.

During the inspection, staff noted the following: the residential structure had been demolished and both TCP Investments and Pat's Gradall Service, Inc., failed to submit a 10-working day notification of Intent to Renovate/Demolish to the administrator prior to the demolition activities. Additionally, TCP Investments and Pat's Gardall Service, Inc., failed to submit a 10-working day notification of Intent to Renovate/Demolish prior to demolition activities that took place at 411 and 415 Fitzhugh Street, Midland, Midland County, as well.

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Process Description	Section Violated	Comments
Attempted to perform a post abatement inspection on the subject facilities. However, upon arrival the homes were demolished. No 10-working day notification was submitted to the administrator for the demolition activities at 307 West Indian, 411 Fitzhugh and 415 Fitzhugh, Midland, Midland County.	40 CFR 61.145 (b)(1)(3)(i)	Failure to provide the administrator with written notice, 10-working days prior to demolition.

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by April 19, 2017, (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. 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 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 factual 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 feel free to 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. Lynn Fiedler, MDEQ  
Ms. Mary Ann Dolehanty, MDEQ  
Mr. Christopher Ethridge, MDEQ  
Mr. Chris Hare, MDEQ  
Mr. Thomas Hess, MDEQ  
Ms. Karen Kajiya-Mills, MDEQ