



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



KEITH CREAGH
DIRECTOR

March 2, 2016

ENFORCEMENT NOTICE

In the matter of:

Mr. Dave Baldwin, Jr.
Trust Thermal Abatement
210 South Water Street
Owosso, MI 48867

Ms. Katie Montoya
Berrien County Community Development
701 Main Street
Saint Joseph, MI 49085

SRN: U111512045 & U111513363, Berrien County

ATTENTION: Mr. Baldwin and Ms. Montoya:

On January 26, 2016, January 27, 2016, and February 11, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) sent you a Violation Notice in reference to violations of the National Emission Standards for Hazardous Air Pollutants (NESHAP) that occurred at 368 Brunson Avenue and 668 Pearl Street in Benton Harbor, Michigan.

These violations have resulted in the commencement of formal civil and/or administrative proceedings pursuant to the federal Clean Air Act and Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), Article II, Pollution Control, Chapter 1: Point Source Pollution Control and Air Resources Protection. The AQD is hereby providing you with an opportunity to demonstrate compliance, present factual information in writing that should be considered regarding the violations and meet to discuss options for satisfactorily resolving the violations. This proposed resolution will include, among other things, a compliance schedule and an appropriate monetary penalty.

In an effort to seek resolution of the cited federal and state air quality violations, the cited parties will be given an opportunity to discuss a resolution of this matter with the AQD pursuant to Section 5515 of Act 451, which will satisfy both state and federal requirements. Please contact me no later than Friday, March 11, 2016, to schedule a meeting to discuss the resolution of this matter.

Be advised that failure to respond to this Enforcement Notice in a timely manner and adequately resolve or address the cited violations may result in further enforcement proceedings including, but not limited to, referral of the matter to the Department of Attorney General (DAG) for commencement of civil litigation. Be further advised that this Enforcement Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under federal or state law as appropriate.

Sincerely,

Jason Wolf
Enforcement Unit
Air Quality Division
517-284-6772
wolfj2@michigan.gov

cc: Mr. Neil Gordon, DAG
Ms. Karen Kajiya-Mills, DEQ
Mr. Thomas E. Hess, DEQ