



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GRETHNER  
DIRECTOR

March 13, 2017

Mr. Peter Colovos  
Blue Star 14, LLC  
330 West Main Street, Suite 500  
Benton Harbor, Michigan 49022

Mr. Thomas Henderson  
Henderson Brothers Tree Service  
1475 Territorial Road  
Benton Harbor, Michigan 49022

SRN / ID: U111701305; Berrien County

Dear Mr. Colovos and Mr. Henderson:

**VIOLATION NOTICE**

On March 27, 2017, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) complaint investigation at 353 West Main Street, Benton Harbor, Berrien County. The purpose of this investigation 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, Blue Star 14, LLC owns the subject commercial facility and Henderson Brothers Tree Service performed the demolition activities at this facility. The demolition took place on or about the week of March 20, 2017. The National Emission Standard for Asbestos holds both the owner and the operator equally liable for the violations.

During the investigation, staff observed the following: The former commercial property was partially demolished and various piles of demolition debris and a roll-off waste container remain on site. The liable parties had failed to perform a thorough inspection and provide a 10-working day notice prior to any demolition activities.

Process Description	Section Violated	Comments
Failed to perform a thorough inspection and provide a 10-working day notice prior to the demolition activities for the subject commercial facility located at 353 West Main Street, Benton Harbor, Berrien County	40 CFR 61.145 (a)(b)(3)(i)	Failure to thoroughly inspect.  Failure to provide the administrator with written notice.

Mr. Peter Colovos  
Mr. Thomas Henderson  
Page 2  
March 13, 2017

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by April 3, 2017, (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 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 violations cited above and for the cooperation that was extended to me during our phone call. If you have any questions regarding this 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  
Ms. Mary Douglas, MDEQ  
Mr. Thomas Hess, MDEQ  
Ms. Karen Kajiya-Mills, MDEQ