



GRETCHEN WHITMER  
GOVERNOR

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

LANSING

**EGLE**  
LIESL EICHLER CLARK  
DIRECTOR

June 9, 2020

UPS NEXT DAY DELIVERY

Mr. Ryan Smith  
Gemini Capital Management VIII, LLC  
325 Enterprise Drive  
Breckenridge, Michigan 48615

Mr. Keith Young  
JBS Contracting Inc.  
1680 Gover Parkway  
Mt. Pleasant, Michigan 48858

SRN/ID: U292001852; Gratiot County

**VIOLATION NOTICE**

Dear Mr. Smith and Mr. Young:

On May 29, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 105 East Center Street, Ithaca, Gratiot County, Michigan. 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 my investigation, Gemini Capital Management VIII, LLC owns the subject property and JBS Contracting, Inc. performed the renovation activities. The National Emission Standard for Asbestos holds both the *owner and operator* equally liable for any violations.

During the inspection, staff observed the following:

The subject commercial property had ongoing renovation work. At the time of inspection all interior demolition had been completed and the build back was under way. In discussion with Mr. Smith, he stated that an Environmental Site Assessment Phase 1 was conducted prior to renovation but it did not include an asbestos building survey.

## VIOLATION NOTICE

Mr. Smith and Mr. Young

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Process Description	Section Violated	Comments
On 5/29/20, staff performed an inspection at subject commercial building with renovation work being completed.	40 CFR 61.145 (a)	Failure to thoroughly inspect. No asbestos building survey.

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by June 30, 2020, (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.

Please submit the signed written response to Mr. Steven Kidder at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scan and email as an attachment to me at KidderS@Michigan.gov and submit a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or 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 and for the cooperation that was extended to me during our conversation about the site. 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 517-243-4492; KidderS@Michigan.gov; or EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Steven Kidder  
Environmental Quality Analyst  
Air Quality Division

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