



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

May 23, 2018

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

Asbestos Contractors Incorporated
675 Richmond NW
Grand Rapids, Michigan 49504

Home Town Pharmacy
60 East 82nd Street
Newaygo, Michigan 49337

Baruch Senior Ministries
3196 Kraft Avenue SE, Suite 203
Grand Rapids, Michigan 49512

ID: U231800042; Eaton County
ID: U411801192; Kent County

ATTENTION: Mr. Lewis Pitsch, Mr. Frederick Grice Jr., Mr. Mitchell McNeal

This letter is to advise you of the commencement of escalated enforcement action against Asbestos Contractors Incorporated, Home Town Pharmacy, and Baruch Senior Ministries (Companies) for alleged violations that occurred at 115 North Main Street, Bellevue, Michigan and 125 Port Sheldon SW, Grandville, Michigan (ID: U231800042 & U411801192). This letter follows the January 30, 2018, and March 27, 2018, Violation Notices issued by the Michigan Department of Environmental Quality (DEQ), Air Quality Division (AQD) which details violations of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for asbestos, Code of Federal Regulations, Title 40, Part 61, Subpart M; and Rule 942 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451). These standards are adopted by reference in the Michigan Register 2000 MR 18, State Rule R 336.1942. These regulations hold all owners and operators, such as contractors and/or subcontractors, fully liable for compliance with the NESHAP regulations.

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The AQD is hereby providing the Companies with an opportunity to demonstrate compliance, present factual information in writing that should be considered regarding the cited violations and meet to discuss options for satisfactorily formally resolving the violations. The proposed formal written resolution will include, among other things, a compliance schedule within an administrative consent order 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 at 517-284-6772, or by email at wolfj2@michigan.gov, no later than Friday, June 1st, 2018, 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 Michigan 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.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

By:



Jason Wolf
Air Quality Division, Enforcement Unit

Date:

5-23-18

cc: Mr. Neil Gordon, DAG
Ms. Karen Kajiya-Mills, DEQ
Mr. Malcolm Mead-O'Brien, DEQ