



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREYER  
DIRECTOR

March 16, 2018

Mr. Andrew Cherng  
CFT NV Development, LLC  
1683 Walnut Grove Avenue  
Rosemead, California 91770

Mr. Charlie Hicks  
Charlie Hicks & Sons Excavating  
9060 West 116<sup>th</sup> Street  
Grant, Michigan 49327

SRN / ID: U411801449, Kent County

Dear Mr. Cherng and Mr Hicks:

**VIOLATION NOTICE**

On March 14, 2018, the Michigan Department of Environmental Quality (DEQ), Air Quality Division (AQD), performed an asbestos inspection at 3725 Alpine Avenue NW, Comstock Park, Kent County, Michigan. 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 inspection, Andrew Cherng of CFT NV Development, LLC owns the property and Charlie Hicks of Charlie Hicks & Sons Excavating was demolishing the structure. The National Emission Standard for Asbestos holds both the owner and the operator liable for all violations.

During the inspection, staff observed the following:

The structure was being demolished and was about one-third to one-half of the way finished. It was also determined that there was not 10-working day notification submitted before the demolition was started.

Process Description	Section Violated	Comments
No notification was submitted for the demolition of a NESHAP subject structure.	§61.145(b)(1)	Failure to provide a 10-working day notification.

Mr. Andrew Cherng  
Mr. Charlie Hicks  
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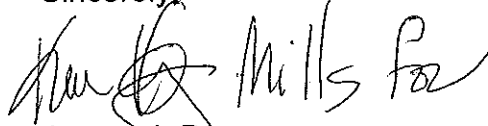
Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by April 6, 2018 (which coincides with 21 calendar days from the date of this letter).

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 date(s) by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The signed written response from the owner (Andrew Cherng) and operator (Charlie Hicks) 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 sent as an email attachment to brownj9@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 the appropriate factual information to explain your position.

Thank you for your attention to resolving the violations cited above and for the cooperation extended to me during our meeting and emails. If you have any questions regarding this violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-599-7825; brownj9@michigan.gov; or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,

A handwritten signature in black ink that reads "Jeremiah Brown" with a stylized flourish at the end.

Jeremiah Brown  
Environmental Quality Analyst  
Air Quality Division

cc: Ms. Mary Ann Dolehanty, MDEQ  
Mr. Craig Fitzner, MDEQ  
Mr. Christopher Ethridge, MDEQ  
Ms. Heidi Hollenbach, MDEQ  
Mr. Thomas E. Hess, MDEQ  
Ms. Karen Kajiya-Mills, MDEQ