



GRETCHEN WHITMER  
GOVERNOR

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

LANSGING  
LIESL EICHLER CLARK  
DIRECTOR

August 19, 2021

UPS NEXT DAY DELIVERY

Mr. Vern Brockway  
2440 West Highland Road  
Suite 101  
Howell, Michigan 48843

SRN/ID: U472104243, Livingston County

Dear Mr. Brockway:

**VIOLATION NOTICE**

On August 16, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted a complaint investigation at 1388 Lucy Road, Howell, Livingston County. The purpose of this investigation 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, Mr. Brockway is the owner of the former industrial garage and the operator who performed the demolition activities. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the inspection, EGLE staff observed the following:

The former garage was demolished, and the site was backfilled and graded. Mr. Brockway failed to provide the Administrator with a 10-working day notification of Intent to Renovate/Demolish prior to the demolition activities.

Process Description	Section Violated	Comments
On August 12, 2021, EGLE, AQD received a complaint regarding a demolition which occurred at 1388 Lucy Road, Howell. Upon investigation, it was noted that no Notification of Intent to Renovate/Demolish was submitted to the Administrator.	40 CFR §61.145(b)(1)	Failure to provide the Administrator with written notice.

## VIOLATION NOTICE

Mr. Vern Brockway

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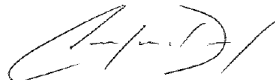
August 19, 2021

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by September 9, 2021, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) 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 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 and operator* to this violation notice, may be submitted by mail and directed to my attention at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. You must also include a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and emailed to DechyC@Michigan.gov and 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 extended to me during my site visit. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; or email at DechyC@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Craig W. Dechy  
Environmental Quality Analyst  
Air Quality Division

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