



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

LANSING

November 19, 2021

UPS NEXT DAY DELIVERY

Mr. David Pellizzer  
KSK Construction  
303 Selden Road  
Iron River, Michigan 49935

Mr. Krist C. Atanasoff  
Krist Oil Company, Inc.  
303 Selden Road  
Iron River, Michigan 49935

SRN/ID: U832106234; Wexford County

**VIOLATION NOTICE**

Dear Mr. Pellizzer and Mr. Atanasoff:

On November 5, 2021, 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 based on an anonymous complaint at 605 North Mitchell Street, Cadillac, Wexford 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, Krist Oil Company, Inc. owns the subject property and KSK Construction performed the demolition 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 been demolished and removed from the site and KSK Construction was in the process of build-back for a new gas station. The on-site foreman stated that all local permitting had been obtained and an asbestos building survey had been completed. It was found that a 10-day notice prior to demolition was not submitted.

Process Description	Section Violated	Comments
On 11/5/21, staff performed an inspection at subject commercial demolition site, former Payne's Tire, at 605 North Mitchell Street, Gaylord.	40 CFR 61.145 (b)(1)	Failure to provide 10 working day notification prior to demolition.

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by December 10, 2020, (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred;

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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 site 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. Shane Nixon, EGLE  
Ms. Karen Kajiya-Mills, EGLE  
Mr. Jason Wolf, EGLE