



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
AIR QUALITY DIVISION



PHILLIP D. ROOS
DIRECTOR

December 3, 2024

VIA E-MAIL

Eric Frey
544 East Huron Road
Au Gres, Michigan 48703

SRN/ID: U062406745; Arenac County

Dear Eric Frey:

VIOLATION NOTICE

On November 20, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) complaint inspection at 544 East Huron Road, Au Gres, Arenac County. 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, Eric Frey owns the subject property and performed the renovation activities. The National Emission Standard for Asbestos holds both the *owner and operators* equally liable for any violations.

During the inspection, staff observed the following:

Eric Frey was in the progress of renovating the commercial building, a former bar. The interior appeared to be an open space with new stud walls in place for a build back. The back block-wall had been mostly removed. Potential asbestos containing materials were noted in the building. The owner stated that an asbestos building survey had not been completed prior to renovation.

Process Description	Section Violated	Comments
On 11/20/24, staff performed a complaint inspection at 544 E Huron Rd, Au Gres.	40 CFR 61.145 (a)	Failure to thoroughly inspect. No asbestos building survey/inspection.

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by December 24, 2024. 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 recurrence.

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The signed written response from the operators to this violation notice may be submitted by mail and directed to the attention of Steven Kidder, Technical Programs Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 and must include a copy to Jason Wolf, Enforcement Unit at the same address. The response may also be scanned and e-mailed to KidderS@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 that was extended to me during our conversations 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: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Tammy Bell, EGLE
Gina McCann, EGLE
Jason Wolf, EGLE