



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

February 1, 2017

Ms. Linda Pruitt, Treasurer
Cass County
120 North Broadway Street
Cassopolis, Michigan 49031

Mr. Carl Backus Sr.
Backus Bobcat & Excavating
23135 Hospital Street
Cassopolis, Michigan 49031

SRN/ID: U141700609; Cass County

Dear Ms. Pruitt and Mr. Backus Sr.:

VIOLATION NOTICE

On January 18, 2017, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) complaint investigation at 306 East State Street, Cassopolis, Cass County. The purpose of this investigation 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 investigation, Cass County owns the subject commercial facility and Backus Bobcat & Excavating performed the demolition activities at this facility. The demolition activities took place on or about January 13, 2017. The National Emission Standard for Asbestos holds both the owner and operator equally liable for the violations.

During the investigation, staff observed the following: The former commercial property was in the process of being demolished. The liable parties had failed to provide a 10-working day notice prior to the demolition activities.

Process Description	Section Violated	Comments
Failed to provide a 10-working day notice prior to the demolition activities for the subject commercial facility located at 306 East State Street, Cassopolis, Cass County	40 CFR 61.145 (b)(3)(i)	Failure to provide the administrator with written notice.

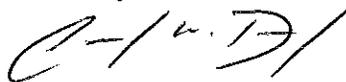
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Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by February 22, 2017, (which coincides with 21 calendar days from the date of this letter). The written response should include: 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 dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The signed written response 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 emailed as an attachment to me at; dechyc@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 my site visit. 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 517-749-2891; dechyc@michigan.gov; or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

cc: Mr. Harry Shaffer, Cass County Land Bank Authority
Ms. Lynn Fiedler, MDEQ
Ms. Mary Ann Dolehanty, MDEQ
Mr. Christopher Ethridge, MDEQ
Ms. Mary Douglas, MDEQ
Mr. Thomas Hess, MDEQ
Ms. Karen Kajjya-Mills, MDEQ