



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

June 12, 2018

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

Paddock Manor Limited Dividend Housing Association Limited Partnership
Phoenix LP, LLC
4150 Grand River Avenue
Detroit, Michigan 48202

Paddock Manor Limited Dividend Housing Association Limited Partnership
Bellwether Enterprises Real Estate Capital
1360 East 9th Street, Suite 300
Cleveland, Ohio 44114

Simply Construction and Excavation, LLC
20905 Mapleridge Avenue
Southfield, Michigan 48075

ID: U631801190; Oakland County

ATTENTION: Ms. Brittany Washington and Mr. Lamar Grace:

This letter is to advise you of the commencement of escalated enforcement action against Paddock Manor Limited Dividend Housing Association Limited Partnership and Simply Construction and Excavation (Companies) for alleged violations that occurred at 245 S. Paddock, Pontiac, Michigan (ID: U631801190). This letter follows the April 20, 2018 and May 17, 2018, Violation Notices issued by the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD) which details violations of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for asbestos, Code of Federal Regulations, Title 40, Part 61, Subpart M; and Rule 942 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451). These standards are adopted by reference in the Michigan Register 2000 MR 18, State Rule R 336.1942. These regulations hold all owners and operators, such as contractors and/or subcontractors, fully liable for compliance with the NESHAP regulations.

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The AQD is hereby providing the Companies with an opportunity to demonstrate compliance, present factual information in writing that should be considered regarding the cited violations and meet to discuss options for satisfactorily formally resolving the violations. The proposed formal written resolution will include, among other things, a compliance schedule within an administrative consent order and an appropriate monetary penalty.

In an effort to seek resolution of the cited federal and state air quality violations, the cited parties will be given an opportunity to discuss a resolution of this matter with the AQD pursuant to Section 5515 of Act 451, which will satisfy both state and federal requirements. Please contact me at 517-284-6772, or by email at wolfj2@michigan.gov, no later than Wednesday, June 20th, 2018, to schedule a meeting to discuss the resolution of this matter.

Be advised that failure to respond to this Enforcement Notice in a timely manner and adequately resolve or address the cited violations may result in further enforcement proceedings, including but not limited to, referral of the matter to the Michigan Department of Attorney General (DAG) for commencement of civil litigation. Be further advised that this Enforcement Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under federal or state law as appropriate.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

By: 
Jason Wolf
Air Quality Division, Enforcement Unit

Date: 6-12-18

cc: Mr. Neil Gordon, DAG
Ms. Karen Kajiya-Mills, MDEQ
Ms. Jenine Camilleri, MDEQ