



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
BAY CITY DISTRICT OFFICE



LIESL EICHLER CLARK  
DIRECTOR

May 23, 2019

Mr. Justin Guilds  
Justin Guilds Construction  
2477 Sheridan Road  
Caro, Michigan 48723

Mr. James Tussey  
1760 Cleaver Road  
Caro, Michigan 48723

SRN: U791905424, Tuscola County

Dear Mr. Guilds and Mr. Tussey:

**VIOLATION NOTICE**

On May 20, 2019, the Michigan Department of Environment, Great Lakes and Energy (EGLE), Air Quality Division (AQD), was informed of a renovation project in the commercial building located at 194 North State Street, Caro, Michigan 48723.

EGLE-AQD investigated to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (CFR), Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAP), Subpart M and Rule 942 of the administrative rules promulgated under Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to our investigation, James Tussey owns the facility and Justin Guilds Construction performed the renovation activities at the facility. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the investigation, staff observed the following:

| Process Description  | Section Violated | Comments                       |
|--|------------------|--------------------------------|
| Renovation work was conducted on the 2 <sup>nd</sup> and 3 <sup>rd</sup> floors in the regulated facility (commercial building) without a thorough inspection performed by an accredited asbestos inspector. | 40 CFR 61.145(a) | Failure to thoroughly inspect. |

Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by June 13, 2019 (which coincides with 21

Mr. Justin Guilds  
Mr. James Tussey

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calendar days from the date of this letter). The 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 reoccurrence.

Please submit the written response to Matthew Karl at EGLE, AQD, 401 Ketchum Street, Suite B, Bay City, Michigan 48708 or [karlm@michigan.gov](mailto:karlm@michigan.gov) and submit a copy to Mr. Jason Wolf, Enforcement Unit at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or [wolfj2@michigan.gov](mailto:wolfj2@michigan.gov).

If James Tussey or Justin Guilds Construction believes the above observations or statements are inaccurate or do not constitute violations of the applicable legal requirements cited, please provide 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 investigation of 194 North State Street, Caro, Michigan. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Matthew R. Karl  
Environmental Quality Analyst  
Air Quality Division  
989-439-3779

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Mr. Christopher Ethridge, EGLE  
Ms. Jenine Camilleri, EGLE  
Ms. Karen Kajiya-Mills, EGLE  
Mr. Chris Hare, EGLE  
Mr. Jason Wolf, EGLE