



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

VIA E-MAIL AND U.S. MAIL

Mr. Steven W. Erickson
Revere Dock, LLC
2217 Lake Avenue
North Muskegon, Michigan 49445

ENFORCEMENT NOTICE

Dear Mr. Erickson:

SUBJECT: Revere Dock, LLC

THE DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY (EGLE), WATER RESOURCES DIVISION (WRD), AND REMEDIATION AND REDEVELOPMENT DIVISION (RRD), Warren District Office, have referred the matter of Revere Dock, LLC (hereinafter "facility") for escalated enforcement actions for violations of law as set forth herein.

PLEASE BE ADVISED that the facility has failed to comply with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.3101 *et seq.* (Part 31), Part 201, Environmental Remediation, of the NREPA, MCL 324.20101 *et seq.* (Part 201); and Part 301, Inland Lakes and Streams, of the NREPA, MCL 324.30101 *et seq.* (Part 301). As stated in the WRD's December 11, 2019, Violation Notice addressed to Mr. David Crace, and the RRD's January 31, 2020, Compliance Communication, the bank failure along the Detroit River at the facility resulted in placement of fill on bottomlands, discharge of an injurious substance into waters of the state, and violations of "due care" obligations.

BE FURTHER ADVISED that EGLE has received the March 30, 2020, restoration plan that is currently under review.

The facility IS HEREBY NOTIFIED that the violations identified in this Enforcement Notice (EN) are violations of Sections 3108(1) and 3109(1) of Part 31, Section 20107a of Part 201, Part 10 of the Part 201 Administrative Rules, and Section 30102(a) of Part 301.

EGLE is offering to address the violations identified herein, as well as any additional violations discovered hereafter through entry of a legally enforceable Administrative Consent Order (ACO). The ACO will include an agreed-upon compliance program to resolve the alleged violations, any additional requirements, and a civil fine.

PURSUANT to the aforementioned violations, an ACO would establish a formal timeline for bringing the property into compliance with the NREPA, to include payment of a civil fine, and submittal of a permit application for removing the material from bottomlands thus eliminating unacceptable exposures from hazardous substances at and emanating from the property, and ceasing erosion into the river

The facility is hereby REQUESTED, ON OR BEFORE April 29, 2020, to provide a response to EGLE indicating whether it is receptive to the resolution of this matter through an ACO.

EGLE reserves its right to take all necessary and appropriate enforcement actions for all violations of the NREPA that have occurred to date and any violations of the NREPA that may occur in the future. These actions may include, but are not limited to, seeking civil fines, injunctive relief, natural resources damages, and all costs associated with this enforcement action, including attorney costs and any other relief available to EGLE.

The facility's continuing failure to comply with the terms of the NREPA or other requirements set forth in this EN may result in additional fines, penalties, or other actions.

Pursuant to Section 324.1511 of the NREPA, the facility MAY request a preliminary meeting with the WRD, Enforcement Unit and the RRD, Compliance and Enforcement Section to discuss the issues detailed in this EN. If you would like to request such a meeting, please contact Ms. Helana Nelson, Enforcement Specialist, Enforcement Unit, WRD, at 517-243-7160; NelsonH1@Michigan.gov; or EGLE, P.O. Box 30458, Lansing, Michigan 48909-7948, not later than ten days from your receipt of this EN.

**STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
WATER RESOURCES DIVISION**

Date Issued: April 15, 2020

/s/ 
David R. Pingel, Supervisor
Enforcement Unit
Water Resources Division

ADDRESS FOR FURTHER CORRESPONDENCE:

Helana Nelson, Enforcement Specialist
Enforcement Unit
Water Resources Division
P.O. Box 30458
Lansing, Michigan 48909-7948

cc: Mr. Don Reinke, US Army Corps of Engineers
Ms. Amy Lounds, EGLE
Mr. Dan Rockafellow, EGLE
Mr. Jon Russell, EGLE
Mr. Andrew Hartz, EGLE
Mr. Paul Owens, EGLE
Ms. Helana Nelson, EGLE
Mr. Kevin Schrems, EGLE
Ms. Beth Vens, EGLE
Mr. Jeremy Richardson, EGLE