

August 2, 2013

Brian W. Jankowski  
Cadillac District Supervisor  
Water Resources Division  
120 W Chapin Street  
Cadillac, MI 49601

In Re: VN No. VN005654

Dear Mr. Jankowski,

This letter concerns the Violation Notice dated July 26, 2013 directed to Team Services L.L.C., regarding the distribution of polluting materials (as defined in R 324.2002) in Benzie County on or about June 4, 2013, pursuant to Team Services' contract with the Benzie County Road Commission for application of gas/oil field waste for dust control on county roads. We would like to thank you for taking action with regard to the release of substances containing levels of benzene, toluene, ethylbenzene and xylene far exceeding the prescribed levels in R 324.705.

In addition to the notice of violation, we ask that you do the following:

Suspend the general permit for Team Services, L.L.C. In addition to Benzie County, Team Services, L.L.C. is performing dust control with brine in Kalkaska County (all townships) and may also be doing so in other counties.

Review of all the transport records at Team Services, L.L.C.'s offices, which they are required to keep on site pursuant to Section 9 of the General Permit 2215-10-5. The sample which evidences this release was taken from Douglas Road in Benzie County; however, it is our information and belief that several more miles of Benzie County road likely received the same treatment from the same source. This belief is supported by the Road Commission's brine schedule that was reportedly faxed to Team Services on June 3 and 4 (see attached).

Determine if the amount of polluting materials exceed the threshold levels contained in R 324.2009 and 40 CFR 302.4. This would also mean that the scope of the release of contamination, remediation, and required clean-up is far larger than initially indicated.

Issue an additional violation for operating outside the geographical limitations imposed by Team Services, certificate of coverage GW1510181, which is limited to Kalkaska Township, Kalkaska County, Michigan. This restriction was confirmed with your department by telephone on July 19, 2013.

Notify the residents on affected roads of the health hazards associated with benzene, toluene, ethylbenzene and xylene.

Notify the local district office of the Health Department.

It is our understanding that violations of this nature are subject to the civil and criminal penalties contained in MCL 324.3112, 3114, 3115, and 3115(a). Upon your verification of the nature, scope, and extent of the violations that have occurred, we respectfully request that the Department exercise all

legal remedies available at law, including but not necessarily limited to, requesting the Michigan Attorney General to commence a civil action seeking maximum fines, investigation and clean up, natural resource damages, and, in addition, the filing of a criminal complaint.

We would appreciate being kept advised of your progress and findings in this matter.

Sincerely,

Bryan and Karla Black  
3726 Lake Ann Road  
Interlochen, MI

Cc: Dan Wyant, DEQ  
Heather Jamieson, BCRC  
Rick Henderson, DEQ  
Mel Kiogima, Deq  
Steve Kitler, DEQ  
Phil Roycraft, DEQ  
Barry Selden, DEQ  
Andy Stempsky, DEQ  
Ray Vugrinovich, DEQ  
Tom Wingate, DEQ