



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

April 7, 2023

Michael Fields
Advanced Teaching Concepts Inc
P.O. Box 158
South Lyon, MI 48178

RE: License #: AS630015591
Investigation #: 2023A0991017
South Lyon CLF Home

Dear Mr. Fields:

Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

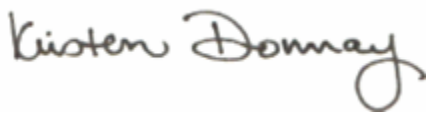
- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- Indicate how continuing compliance will be maintained once compliance is achieved.
- Be signed and dated.

A six-month provisional license is recommended. If you do not contest the issuance of a provisional license, you must indicate so in writing; this may be included in your corrective action plan or in a separate document. If you contest the issuance of a provisional license, you must notify this office in writing and an administrative hearing will be scheduled. Even if you contest the issuance of a provisional license, you must still submit an acceptable corrective action plan.

If you desire technical assistance in addressing these issues, please feel free to contact me. In any event, the corrective action plan is due within 15 days.

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (248) 975-5053.

Sincerely,

A handwritten signature in cursive script that reads "Kristen Donnay". The signature is written in a dark ink and is positioned below the word "Sincerely,".

Kristen Donnay, Licensing Consultant
Bureau of Community and Health Systems
Cadillac Place
3026 W. Grand Blvd., Ste. 9-100
Detroit, MI 48202
(248) 296-2783

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	AS630015591
Investigation #:	2023A0991017
Complaint Receipt Date:	03/22/2023
Investigation Initiation Date:	03/22/2023
Report Due Date:	05/21/2023
Licensee Name:	Advanced Teaching Concepts Inc
Licensee Address:	60674 Russell Lane South Lyon, MI 48178
Licensee Telephone #:	(248) 486-5368
Licensee Designee:	Michael Fields
Name of Facility:	South Lyon CLF Home
Facility Address:	60674 Russell Lane South Lyon, MI 48178-0158
Facility Telephone #:	(248) 486-0765
Original Issuance Date:	12/14/1993
License Status:	REGULAR
Effective Date:	04/28/2021
Expiration Date:	04/27/2023
Capacity:	5
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED

II. ALLEGATION(S)

	Violation Established?
South Lyon CLF Home received a D rating on the environmental health inspection dated 03/14/23 due to the septic tanks being replaced without a permit or inspection.	Yes

III. METHODOLOGY

03/22/2023	Special Investigation Intake 2023A0991017
03/22/2023	Special Investigation Initiated - Telephone Call to licensee designee, Mike Fields
03/23/2023	Contact - Telephone call received From licensee designee, Mike Fields
03/23/2023	Contact - Document Received Email from licensee designee
03/29/2023	Contact - Telephone call made To environmental health sanitarian, Kristen Neubecker
03/29/2023	Contact - Document Received Septic application hold letter and violation letter to septic company
03/30/2023	Inspection Completed On-site Observed yard/septic area
04/05/2023	Exit Conference Via telephone with licensee designee, Mike Fields

ALLEGATION:

South Lyon CLF Home received a D rating on the environmental health inspection dated 03/14/23 due to the septic tanks being replaced without a permit or inspection.

INVESTIGATION:

On 03/22/23, I received and reviewed the environmental health inspection report for South Lyon CLF Home, which was completed by Kristen Neubecker with the Oakland County Health Division (OCHD) on 03/14/23. The report indicates that the facility received a D rating and was determined to be in substantial non-compliance with the applicable rules. The septic tanks were replaced without a permit or inspections. The report notes that a permit must be applied for, and all required inspections must be requested. The tanks will need to be uncovered to be inspected by OCHD. I created a special investigation intake based off the information in this report, which was assigned to me for investigation. I initiated my investigation on 03/22/23 by contacting the licensee designee, Mike Fields.

On 03/22/23, I interviewed licensee designee, Mike Fields. Mr. Fields stated that there was an issue with the septic tank a few months ago. Staff noticed that the lid had fallen in. They contacted the landlord, and a septic company came out the following day, as a large snowstorm was expected around that time. Mr. Fields stated that he thought the septic company only replaced the lid, but when the environmental health inspector came to the home, she stated that the whole tank had been replaced and the septic company did not obtain a permit.

On 03/23/23, I received a follow up phone call and email from the licensee designee, Mike Fields. Mr. Fields stated that OCHD is now stating that the South Lyon Home needs an additional septic pre-treatment system added to the current septic system. He stated that the home has been there for over 50 years, and this was not previously an issue, but the health department is now requiring it. The landlord, Michael Van Buren, does not wish to spend this kind of money (preliminary estimates range from \$15,000-\$20,000) and would like to find an alternative if possible. Per the landlord's conversation with the health department, if it is verified that the home uses less than 750 gallons of water per day, then the pre-treatment system may not be required, and the current system could be approved as is. If it is verified that the home uses more than 750 gallons of water per day, then the add-on system would need to be installed. In order to verify this, a meter would need to be installed at the home, monitoring the water usage for a period of at least six months. Mr. Van Buren is in the process of having the septic company install the meter as soon as possible.

On 03/29/23, I interviewed the environmental health sanitarian, Kristen Neubecker, via telephone. Ms. Neubecker stated that she was informed that the septic tanks had collapsed at the home. Al Pearson's Septic Company came out to the home and replaced the tanks without applying for a permit as required. She stated that only the tanks were replaced, not the field. Ms. Neubecker spoke with the septic company and the property owner, and they have applied for a permit; however, there is a ground water protection issue due to the size of the property. She stated that the home needs a pre-treatment system installed. They were allowed to continue using the current system

until it failed, but now they are required to comply with the current requirements. They would have been informed of this requirement if they had pulled a permit.

Ms. Neubecker stated that the septic company received a letter of non-compliance for their failure to pull a permit. She stated that the property owner needs to contact an engineer to have a pre-treatment system designed that will clean the sewer water before it goes into the field to lower the waste strength. This is due to the size of the property and the number of occupants in the home. If they can show that they are using less water than expected, then they may not need the pre-treatment system. She stated that the water usage can be monitored by installing a water meter at the home. OCHD typically monitors usage for a year, but sometimes they will make exceptions. She stated that the home will continue to have a D rating, as they do not have an approved septic system at this time. Ms. Neubecker stated that she did not feel there was any imminent health concerns for the residents in the home. She did not observe any signs that the current system was failing. The ground was not wet, and she did not observe any sewage. The tank was covered.

I reviewed a copy of a letter that Ms. Neubecker sent to the property owner dated 03/22/23. It notes that the application for an on-site sewage permit is being held and provides the following information and instructions:

“OCHD Policy Section 5.1.6 Michigan Department of Licensing and Regulatory Affairs (LARA) Facility Sizing states in part:

Adult foster care facilities and homes require 150 gallons per day per bed space. Groundwater Protection must be considered prior to the approval of a permit for a (LARA) licensed facility according to 5.2.3 and 5.2.4 or Michigan Criteria. System should be sized in accordance with the maximum number of persons licensed to reside at the facility. The property listed above is not large enough, being 1.31 acres, to adequately allow for groundwater protection for the proposed usage.

OCHD Policy Section 5.2.3 Commercial states in part:

Proposals with a flow rate greater than 450 gallons per acre per day may require a hydrogeological study or pretreatment to address groundwater protection. Hydro-geological studies must be prepared by a Professional Engineer (PE) or Certified Professional Geologist (CPG). The property listed above is not large enough, being 1.31 acres, to adequately allow for groundwater protection for the proposed usage. Pretreatment will be required.

It is suggested that you contract with a professional engineer to evaluate your property and determine whether a sewerage system could be designed and installed which would function properly under the adverse conditions that exist on your property. Plans should then be submitted to this division for review. If the engineer's proposed system is acceptable, your application for a permit will be

approved. The system would then have to be constructed exactly as shown on the engineered drawings. After installation, the engineer would be required to submit a letter to us verifying the installation was according to his plans.”

On 03/30/23, I conducted an onsite inspection at South Lyon CLF Home and observed the yard. There were four round green lids surrounded by an area that was covered with dirt. The ground was dry, and I did not observe any sewage in the yard. The home manager and assistant home manager both stated that they had not any issues with the septic system or plumbing in the home.

On 04/05/23, I conducted an exit conference via telephone with the licensee designee, Mike Fields. Mr. Fields stated that the homeowner has been in contact with the supervisor at the Oakland County Health Division. The supervisor stated that if they could provide one year’s worth of water usage data from comparable facilities, then they may not need to install the water meter or pre-treatment system. If a water meter was installed at South Lyon Home, the water usage would need to be monitored for one year, which would extend beyond the provisional license period. Mr. Fields stated that he gathered data from two other licensed facilities that have city water which is monitored by a meter. If the county does not accept this data, then the homeowner will move forward with making plans to have the additional system installed. He stated that they will attempt to get financial assistance from the Oakland Community Health Network if the new system is required. Mr. Fields stated that he would accept the provisional license due to the facility not having an approved septic system.

APPLICABLE RULE	
R 400.14401	Environmental health.
	(3) All sewage shall be disposed of in a public sewer system or, in the absence thereof, in a manner that is approved by the health authority.
ANALYSIS:	Based on the information gathered through my investigation, there is sufficient information to conclude that South Lyon CLF Home does not have a sewage disposal system that is approved by the health authority. Kristen Neubecker with the Oakland County Health Division conducted an environmental health inspection on 03/14/23. The facility received a D rating and was determined to be in substantial non-compliance with the applicable rules, as the septic tanks were replaced without a permit or inspection. Ms. Neubecker also stated that the facility needs to be in compliance with current requirements and must have a pre-treatment system designed and installed that will clean the sewer water before it goes into the field to lower the waste strength. This is due to the size of the property and the number of occupants in the home. The septic system may be

	approved without the pre-treatment system if they can prove the water usage is below what is expected for the capacity of the home.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan, issuance of a provisional license is recommended.

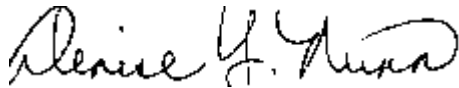


04/05/2023

Kristen Donnay
Licensing Consultant

Date

Approved By:



04/07/2023

Denise Y. Nunn
Area Manager

Date