



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

August 6, 2024

VIA EMAIL AND U.S. MAIL

David Lundquist
Delta Solid Waste Management Authority
5701 19th Avenue N
Escanaba, Michigan 49829

SRN: N6035, Delta County

Dear David Lundquist:

VIOLATION NOTICE

On July 8 and July 18, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), received responses to a violation notice issued on June 25, 2024, to Delta Solid Waste Management Authority located at 5701 19th Avenue N, Escanaba, Michigan. The purpose of this correspondence was to resolve the alleged violations with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); the Air Pollution Control Rules; and the conditions of Renewable Operating Permit (ROP) number MI-ROP-N6035-2022.

In the responses received, AQD staff were informed of the following violation:

Process Description	Rule/Permit Condition Violated	Comments
EUASBESTOS	40 CFR 61.154(j); Special Condition VII.6	Asbestos waste deposited in the North landfill had been disturbed without sending written notification to the AQD Technical Programs Unit and Marquette District Office at least 45 days prior.

In the response received on July 8, 2024, it was stated that during regrading of the asbestos area, bags of asbestos-containing waste material became uncovered. Additionally, it was stated that Delta Solid Waste Management Authority did not submit written notification to the AQD Technical Programs Unit and Marquette District Office at least 45 days prior to disturbing the asbestos-containing waste material because the regrading was not intended to disturb the waste. This is a violation of reporting requirements specified under EUASBESTOS in Special Condition VII.6 of MI-ROP-N6035-2022 and 40 CFR 61.154(j) of 40 CFR Part 61, Subpart M.

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In the written response to this Violation Notice, please provide a response to the following questions: When did the grading of the asbestos area begin and end? When was the asbestos-containing waste material uncovered? How much asbestos-containing waste material was uncovered during the regrading of the area? How long did the asbestos-containing waste material remain uncovered? Was the disturbance of asbestos-containing waste material a direct result of the regrading of the asbestos area?

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by August 26, 2024 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the cause 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 Drew Yesmunt at EGLE, AQD, Marquette District, at 1504 West Washington Street, Marquette, Michigan 49855 or YesmuntD@Michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Delta Solid Waste Management Authority believes the above observations or statements are inaccurate or do not constitute violation of the applicable legal requirements cited, please provide appropriate 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 inspection of Delta Solid Waste Management Authority. 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,



Drew Yesmunt
Environmental Engineer
Air Quality Division
906-251-8301

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Michael Conklin, EGLE
James Ferritto, EGLE
Jeremy Howe, EGLE
Carolyn St. Cyr, EGLE