



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

August 15, 2019

CERTIFIED RETURN RECEIPT

Mr. and Mrs. Lawrence Julio  
Ripley Products Company, Julio Marine & Salvage, Julio Contracting Company,  
Julio Contracting and Marine c/o Mr. Lawrence Julio  
21021 Royce Road  
Hancock, Michigan 49930  
SRN: U311907897, Houghton County

Dear Mr. and Mrs. Julio:

**VIOLATION NOTICE**

On August 2, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Julio Properties - Ripley Waterfront and Dollar Bay, located in Houghton County, Michigan. This inspection was conducted jointly with EGLE staff from the Materials Management (MMD), Remediation and Redevelopment (RRD) and Water Resources Division (WRD). The properties inspected are identified in EGLE's Remediation and Redevelopment Division's Figure 2 of the Quincy Mining Company Portage Operations Area Sampling and Analysis Plan and are listed here:

Area D, Parcel No. 006-136-002-00  
Area G, Parcel Nos. 006-166-001-00 and 006-031-032-00  
Area N, Parcel No. 009-033-055-00

The purpose of this inspection was to determine compliance with the requirements of the federal Clean Air Act; Title 40 of the Code of Federal Regulations (CFR), Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAP), Subpart M; and 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.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Multiple sites of uncontrolled storage of Regulated Asbestos-Containing Material (RACM) as a result of poor removal and waste handling practices (Areas D, G, and N)	40 CFR 61.145(b)(3)(i)	Failure to provide notice prior to asbestos work.
	40 CFR 61.145(b)(4)(vi)	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM)
	40 CFR 61.145(c)(1)	Failure to remove RACM
	40 CFR 61.145(c)(4)	Failure to contain in leak tight container
	40 CFR 61.145(c)(6)(i)	Failure to wet RACM that has been stripped
	40 CFR 61.150(a)(1)(v)	No generator labels
	40 CFR 61.150(b)(1)	Failure to deposit asbestos containing waste material as soon as practical
Unpermitted fuel-burning equipment used for space heating (Area N)	R 336.1201	Fuel-burning space heater fueled by waste oil or used oil that does not meet the PTI exemption requirements of R 336.1282(2)(b)(iv)
Unpermitted refuse-burning equipment (Area N)	R 336.1201 R 336.1310	Waste refuse burner does not meet PTI exemption R 336.1282(2)(c)
Open Burning (Area N)	R 336.1310	Multiple sites of open burning, including multiple burn barrels (one smoldering) with ash and residual trash observed

Areas identified as RACM during previous sampling activities must be managed and disposed of in a manner consistent with the Asbestos NESHAP. This requires site containment, abatement by a certified and licensed asbestos abatement contractor, and disposal of all impacted and potentially impacted materials into a Type II Municipal Solid Waste Landfill as RACM. All cleanup activities shall be done in a manner which eliminates any potential exposure pathways to protect human health.

During this inspection, it was also noted that several burn barrels, an unpermitted refuse-burning equipment, and fuel-burning space heating equipment were installed and

had commenced operation at Area N (Parcel No. 009-033-055-00). This is a violation of Rules 201 and 310 of the administrative rules promulgated under Act 451.

A program for compliance may include a completed PTI application for the refuse-burning equipment and fuel-burning space heating equipment. An application form is available by request, or at the following website: [www.michigan.gov/air](http://www.michigan.gov/air) (in the shaded box on the upper right-hand side of the page).

Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

Additionally, the open burning of refuse and other waste material in burn barrels constitutes a violation of Rule 310 of the administrative rules promulgated under Act 451, which prohibits open burning of refuse, garbage, or any other waste material at any business or commercial operation.

In order to comply with Rule 310, Julio Properties is advised to immediately discontinue any open burning.

EGLE encourages the reuse and the recycling of wastes whenever possible. However, any waste that cannot be reused or recycled must be properly disposed of in accordance with Part 115, Solid Waste Management, Section 11512(1) of Act 451. Additionally, if Julio Properties decides to incinerate their waste, it must be incinerated in a properly designed incinerator. An approved permit must be obtained from EGLE before commencing installation of any incinerator. An application form is available by request, or at the following website: [www.michigan.gov/air](http://www.michigan.gov/air) (in the shaded box on the upper right-hand side of the page)

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by August 31, 2019. The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations 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 EGLE, AQD, Marquette District, at 1504 West Washington Street, Marquette, Michigan 49855 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Mr. and Mrs. Lawrence Julio believe the above observations or statements are inaccurate or do not constitute violations of the applicable legal requirements cited, please provide appropriate factual information to explain your position.



Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my inspection of Julio Properties. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph Scanlan".

Joseph Scanlan  
Environmental Quality Analyst  
Air Quality Division  
906-458-6405

cc: Mr. Brian Kelly, USEPA  
Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Christopher Ethridge, EGLE  
Ms. Karen Kajiya-Mills, EGLE  
Mr. Clif Clark, EGLE  
Mr. Phil Roycraft, EGLE  
Mr. Ed Lancaster, EGLE  
Mr. Jay Parent, EGLE  
Mr. Jason Wolf, EGLE