



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

December 23, 2014

Mr. Rich Krohn
5125 Cambro
Owendale, MI 48754

SRN: U321416162, Huron County

Dear Mr. Krohn:

VIOLATION NOTICE

On December 17, 2014, the Department of Environmental Quality (DEQ), Air Quality Division, was notified by District Water Resources Staff of demolition activities conducted at 4471 M-142, Elkton, Michigan. Information provided to Water Resources Staff during spill response activities in the immediate vicinity of demolition location indicated that the referenced property was a former residential property that had been purchased for construction of commercial buildings. Initial information provided for the activities indicated that parts of the structures onsite may have been intentionally burned, in lieu of proper disposal.

Based on the commercial nature of the activities, demolition activities onsite would be subject to the requirements of Title 40 of the Code of Federal Regulations, Part 61, Subpart M (National Emission Standard for Asbestos), and Rule 942 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to information provided, Mr. Krohn owns the facility and performed the demolition activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

Based on information obtained, the following compliance violations occurred:

| Process Description | Section Violated | Comments |
|------------------------------------|------------------|--|
| Demolition for commercial purposes | §61.145(b)(1) | Failure to provide 10 working day notification |

Should the property owner have failed to have had an asbestos survey of the structure conducted by a certified professional prior to the demolition, the following additional violations may have occurred:

| Process Description | Section Violated | Comments |
|------------------------------------|-------------------|---|
| Demolition for commercial purposes | §61.145(b)(4)(vi) | Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM) |
| | §61.145(c)(1) | Failure to remove RACM |
| | §61.145(c)(8) | No contractor supervisor on site |
| | §61.145(c)(9) | Failure to wet RACM during demolition |
| | §61.145(c)(10) | Failure to remove RACM in building demolished by fire |
| | §61.150(a)(1)(ii) | Visible emissions from handling operations |
| | §61.150(a)(1)(v) | No generator labels |
| | §61.150(c) | No signs during loading and unloading |

In addition, should portions of the building, its furniture or debris inside the building have been disposed of by open burning the following violations will have occurred:

| Process Description | Rule Violated | Comments |
|---|---|---|
| Open burning of solid waste, treated construction materials, etc. | Michigan Air Quality - Rule 310 | prohibits the open burning of refuse, garbage, or any other waste materials, with some exceptions that are listed |
| | Michigan Solid Waste - Rule 299.1428(c) | prohibits the burning of "solid waste" with a few exceptions. |

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by January 13, 2014 (which coincides with 21 calendar days from the date of this letter). 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.

If you believe the above observations/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. 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,



Sharon G. LeBlanc
Environmental Quality Analyst
Air Quality Division
989-894-6212

sgl/ai

cc: Mr. Jim Seley, Elkton Fire Department

cc via email: Ms. Lynn Fiedler, DEQ

Ms. Mary Ann Dolehanty, DEQ

Ms. Teresa Seidel, DEQ

Mr. Thomas Hess, DEQ

Ms. Karen Kajiya-Mills, DEQ

Mr. Chris Hare, DEQ