



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREETHER
DIRECTOR

October 2, 2018

Mr. Brett Eberhard
HBC Specialized Contracting
2170 Apollo Drive
Lansing, Michigan 48906

Mr. James Barr
Rosemary Management
P.O. Box 4901
East Lansing, Michigan 48823

SRN/ID: U331808191; Ingham County

Dear Mr. Eberhard and Mr. Barr:

VIOLATION NOTICE

On September 28, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) performed an asbestos inspection located at 413 & 425 Rosemary Avenue, Lansing, Ingham County, Michigan. The purpose of this inspection was to determine compliance with 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 (Act 451).

According to our investigation, HBC Specialized Contracting was the operator who conducted the abatement activities, and Mr. Barr of Rosemary Management is the property owner of the addresses mentioned above. The National Emission Standard for Asbestos holds the owner and operator liable for all violations.

During the investigation staff observed/discovered the following:

The subject properties at 413 & 425 Rosemary Avenue, Lansing, had asbestos abatement activities conducted by HBC Specialized Contracting. The floor tile in several of the rooms was abated along with the cementitious asbestos siding on the exterior. While inspecting the exterior, I found several pieces of cementitious asbestos siding that was made to become friable during abatement activities and left behind after the abatement was finished.

Process Description	Section Violated	Comments
Cementitious Asbestos Siding was made to become friable and left on site after abatement activities	§61.145(c)(1)	Failure to remove RACM
	§61.150(a)(1)(ii)	Failure to seal while wet
	§61.150(a)	Visible emissions from handling operations

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by October 23, 2018, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) the violation occurred; an explanation of the causes 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 date(s) by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The signed written response from the owner and operator to this violation notice, may be submitted by mail and directed to my attention at: DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. You must also include a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at: DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. Or the response may be scanned and sent to brownj9@michigan.gov and camillerij@michigan.gov.

If you believe the above observations or statements are inaccurate or do not constitute a 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 extended to me during our conversation. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-599-7825; brownj9@michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Jeremiah Brown
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Mr. Brad Myott, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ