



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



KEITH CREAGH
DIRECTOR

June 27, 2016

CERTIFIED MAIL

Mr. Randy Spear
391 Conley Drive
Fenwick, Michigan 48843

SRN: U341414092; Ionia County

Dear Mr. Spear:

FOURTH VIOLATION NOTICE

On October 16, 2014, July 1, 2015, and June 24, 2016, the Department of Environmental Quality (DEQ), Air Quality Division, conducted a complaint investigation of a former commercial property located on North State Road, Ionia County, Michigan. The purpose of these investigations were 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.

According to our investigations, Mr. Randy Spear owns the facility and also performed the demolition activities at this location, on or about September 3, 2014, and again on June 24, 2016. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the October, 16, 2014, July 1, 2015 and June 24, 2016 inspections, staff observed the following:

Small pieces of broken transite siding were found dry, and scattered throughout the debris piles. A sample of the broken transite siding was collected on October 16, 2014, and tested positive for asbestos (see attached laboratory report for results). Additionally, a required 10-working day notification was not submitted to the DEQ for the demolition.

Process Description	Section Violated	Comments
Demolition of the former commercial facility located at North State Road in Ionia County on or about September 3, 2014 and again on June 24, 2016.	§61.145(a)	Failure to thoroughly inspect facility for the presence of asbestos
	§61.145(b)(1)	Failure to provide 10 working day notification
	§61.145(c)(1)	Failure to remove RACM
	§61.145(c)(6)(i)	Failure to wet RACM that has been stripped
	§61.145(c)(8)	No contractor supervisor on site

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Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by July 18, 2016 (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. The signed written response 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 or scanned and emailed as an attachment to me at; dechyc@michigan.gov.

Three prior attempts to notify you of these violations were submitted for your review and response on November 13, 2014, December 15, 2014, and July 27, 2015. This violation notice is being issued because of the continuation of demolition activity performed on June, 23, 2016.

If you 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. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; dechyc@michigan.gov or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

Enclosure(s)

cc: Mr. Robert Logan, Ionia County
Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Ms. Heidi Hollenbach, DEQ
Ms. April Lazzaro, DEQ
Mr. Tom Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ

Air/Material Sampling Report

**Michigan Department of Licensing and Regulatory Affairs
Michigan OSHA/Occupational Health Laboratory**

1. Reporting ID			2. Inspection/Visit/Intervention Number			3. Sampling Number												
4. Establishment Name <i>Building - N. State Rd Tonia</i>						5. Public/Private (For Consultation use only) <input type="checkbox"/> Self-Help <input type="checkbox"/> Public <input type="checkbox"/> Private												
6. Person Performing Sampling (Signature) <i>Jessica Magro</i>				7. CSHO ID		8. Sampling Date <i>10/17/14</i>		9. Shipping Date										
10. Employee Name: <i>Jessica Magro- DEQ</i>					11. Job Title:													
12. Exposure Information			a. Number:		b. Frequency:		13. Photo(s) <input type="checkbox"/> Yes <input type="checkbox"/> No											
Exposure Summary																		
14. Line No.	15. Substance Code	16. Rqstd.	17. Smpl. Type	18. Exp. Type	19. Exposure Level	20. Units	21. PBL	22. Adj.	23. Severity	24. Citation/Hazard Information								
										No Cit.	FTA	Over Exp.	Eng.	PPE	Trng.	Med.	Other	No Haz.
1.																		
2.																		
3.																		
4.																		
5.																		
25. Additives (Enter Line Numbers for those agents contributing to additive effect)																		
26. Total Number of Lines (14):						27. Date Results Received from Laboratory:												
28. Pump Model:				Pump #:				Sampling Data										
29. Sample Submission Number				<i>5700A</i>														
30. Sample Type/Media																		
31. Filter/Tube Number																		
32. Time On																		
Time Off																		
33. Total Time (in minutes)																		
34. Flow Rate <input type="checkbox"/> l/min <input type="checkbox"/> ml/min																		
35. Volume (in liters)																		
36. Lab Sample Number				<i>150305</i>														
37. Analyze For:			38. RL*		Results													
1.	Asbestos		<i>1%</i>	<i>15 chrysotile</i>														
2.																		
3.																		
4.																		
5.																		
39. Results expressed in <i>%</i> unless otherwise noted.				40. Test Method: <i>04L2004M9020M0PLV3.0</i>														
41. Interferences and I/I Comments to Lab				42. Supporting Samples				43. Chain of Custody				Date		Initials				
				a. Blanks:				a. Seals Intact?				<i>⊙</i> N		<i>AJC</i>				
								b. Rec'd in Lab				<i>10/29/14</i>		<i>AJC</i>				
								c. Rec'd by Anal.				<i>11/3/14</i>		<i>Jun 97</i>				
44. Analyst's Comments <i>F20150048</i>				b. Bulks:				d. Anal. Completed				<i>11/3/14</i>		<i>Jun 97</i>				
								e. Calc. Checked				<i>11-5-14</i>		<i>Jun 97</i>				
								f. Supr. OK'd				<i>11-5-14</i>		<i>Jun 97</i>				
* Reporting Limit				Samples NOT blank corrected unless otherwise indicated.														

