



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

October 22, 2018

Mr. Lewis Pitsch
Asbestos Contractors Incorporated
675 Richmond NW
Grand Rapids, Michigan 49504

Mr. Gary Postma
Orion Real Estate Solutions, LLC
32 Market Avenue SW, Suite 200
Grand Rapids, Michigan 49503

SRN/ID: U411806317; Kent County

Dear Mr. Pitsch and Mr. Postma:

VIOLATION NOTICE

On October 18, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) performed an asbestos inspection located at 100 Burton Street SE, Grand Rapids, Kent 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, Asbestos Contractors Incorporated was the operator who conducted the abatement activities, and Orion Real Estate Solutions, LLC is the property owner. The National Emission Standard for Asbestos holds both the owner and operator liable for all violations.

During the investigation staff observed / discovered the following:

The subject property at 100 Burton Street SE had demolition and asbestos abatement activities currently being performed. The school portion of the structure was in the process of being demolished and the church portion was having the cementitious asbestos (Transite) roofing abated. A single worker was on the roof using a roofing spade/spud to remove the existing asphalt shingles along with the Transite shingles underneath. During the process of removing the asphalt and Transite shingles, the roofing spade/spud was making the Transite become friable and a Regulated Asbestos Containing Material (RACM). The shingles were being pushed down the roof and falling 20 feet off the edge down to a dumpster which had no sign. Several pieces of Transite shingles were found on the ground surrounding the dumpster where there was no plastic set-up. Staff also observed that there was no water being used during the abatement process. Being that the method of abatement was causing a non-friable Category II asbestos-containing material to become friable, a 10-working day notification needed to be submitted for the abatement and none was filed with the MDEQ.

Process Description	Section Violated	Comments
Abatement of Transite shingles and making it become friable, via means of removal.	§61.145(b)(1)	Failure to provide 10-working day notification
	§61.145(c)(3)	Failure to wet during stripping
	§61.145(c)(6)(i)	Failure to wet RACM that has been stripped
	§61.150(c)	No signs during loading and unloading

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by November 12, 2018, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) 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 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 violations 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: Mr. Andrew Prins, Assistant Attorney General
Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Heidi Hollenbach, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ