



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
UPPER PENINSULA DISTRICT OFFICE



C. HEIDI GREETHER
DIRECTOR

December 19, 2016

Mr. Pat Tucker
Northwoods Environmental Industries, Inc.
34495 U.S. Hwy 45
Ontonagon, Michigan 49953

SRN: U66110426, Ontonagon County

Dear Mr. Tucker:

VIOLATION NOTICE

On June 2, 2016, the Department of Environmental Quality (DEQ), Air Quality Division, received a complaint from the U.S. Environmental Protection Agency (EPA) concerning the alleged disposal of asbestos containing material (ACM) at Northwoods Environmental Industries, Inc. located at 34995 U.S. Highway 45, Ontonagon County, Michigan.

On June 9, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Northwoods Environmental Industries, Inc. (NEI), located at 34995 U.S. Highway 45, Ontonagon County. 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. On this date AQD staff discovered two (2) uncovered 40 cubic yard dumpsters filled to capacity with what appeared to be a mixture of nonfriable and friable ACM. There was no one present at the property at the time of inspection. AQD staff tried contacting NEI at this time via telephone with no results.

On June 17, 2016, after AQD staff again tried contacting NEI via telephone with no response, staff sent an email requesting an explanation of the contents of the dumpster and the plans for disposal of the contents. No response to this email was received.

On the morning of July 1, 2016, OWMRP staff, Ms. Carolyn St. Cyr, performed a site visit to 34995 U.S. Highway 45 in Ontonagon County and made contact with you. The dumpsters were uncovered still at that time. You provided a follow-up email later that day to Ms. Carolyn St. Cyr and myself explaining that the contents of the dumpsters were indeed nonfriable and friable asbestos and photos showing that you had covered and sealed the dumpsters with duct tape and polyethylene sheeting. You also explained that you had secured a means to transport the contents of the dumpsters and this would take place within the next few weeks.

During a phone conversation you had with Ms. Carolyn St. Cyr and myself on December 5, 2016, you stated that both dumpsters had been emptied and returned to Waste Management and the contents transferred to a truck with one load having been disposed of at Wood Island Landfill in Munising while the remaining ACM waste from the other dumpster

was being stored in a truck at 34995 U.S. Highway 45. Wood Island Landfill confirmed that 40 cubic yards of ACM waste had been delivered by you to the landfill.

According to our investigation, you own the facility and Northwoods Environmental Industries, Inc. accumulated the ACM waste at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, staff observed the following:

Process Description	Section Violated	Comments
Regulated Asbestos Containing Material waste stored for an excessive period of time	40 CFR 61.150(b)(1)	Failure to deposit asbestos containing waste material as soon as practical

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by Monday, January 9, 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 violation; whether the violation is ongoing; copies of all generator and waste disposal manifests relating to the ACM waste of concern, a summary of the actions that have been taken and are proposed to be taken to correct the violation 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 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 violation cited above and for your cooperation. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Joseph Scanlan
Air Quality Division
906-458-6405

js/nr

cc: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Carolyn St. Cyr, DEQ