



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



KEITH CREAGH  
DIRECTOR

February 22, 2016

Mr. Tom Galloway  
MB&G Investments  
12261 Cleveland Street, Suite A  
Nunica, Michigan 49448

CERTIFIED MAIL

Mr. Robert Holman  
In Depth Excavating  
2658 Cape Coral  
Grandville, Michigan 49418

SRN: U701601019

Dear Mr. Galloway & Mr. Holman:

**VIOLATION NOTICE**

On February 16, 2016, the Department of Environmental Quality (DEQ), Air Quality Division, performed an asbestos NESHAP inspection at, 16564 148<sup>th</sup> Avenue, Spring Lake, Ottawa 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.

According to my investigation, Mr. Galloway is the responsible person for the subject property and Mr. Holman is the contractor who performed the demolition activities. The demolition occurred on or around February 14, 2016. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the investigation, staff observed/discover the following:

The subject property had been abated and demolished with no notification submitted. Pieces of suspect ACM was scattered around the area where the structure was located. Abatement activities were performed with no contractor/supervisor on site.

Process Description	Section Violated	Comments
For failure to notify for abatement & demolition and removal of Category II non-friable ACM before demolition. RACM removal without a certified contractor/supervisor on site & no signs on trailer containing RACM at address stated above.	§61.145(b)(1)	Failure to provide 10 working day notification
	§61.145(b)(3)(i)	Failure to provide notice prior to asbestos work
	§61.145(b)(4)(vi)	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM)
	§61.145(c)(8)	No contractor supervisor on site
	§61.150(c)	No signs during loading and unloading

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Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by March 15, 2016 (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 both 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 or scanned and sent as an email attachment to brownj9@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 meeting and emails. 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 DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Jeremiah Brown  
Environmental Quality Analyst  
Air Quality Division

cc: Ms. Lynn Fiedler, DEQ  
Ms. Teresa Seidel, DEQ  
Ms. Heidi Hollenbach, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Karen Kajiya-Mills, DEQ