



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



DAN WYANT
DIRECTOR

March 19, 2014

Mr. Richard Menke
Saginaw Development, LLC
1281 Court Street
Clearwater, FL 33756

SRN: U7314289, Saginaw County

Dear Mr. Menke:

VIOLATION NOTICE

On Friday, February 28, 2014, the Department of Environmental Quality (DEQ), Air Quality Division, was forwarded a copy of the October 24, 2013, Summary Report prepared by AKT Peerless for demolition debris generated during the 2011 demolition activities located at 1010 Hess Ave, Saginaw, Michigan. The referenced document was prepared by AKT Peerless on behalf of the Saginaw County Land Bank Authority (AKA Land Bank) to evaluate site conditions that may facilitate or impede disposal of the debris that had been left on adjacent Land Bank property. In reviewing the document DEQ staff evaluated the information to determine if demolition activities had been conducted in 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 investigation, Saginaw Development, LLC both owns the facility and performed the demolition activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

Based on the presence of asbestos containing transite and roofing materials in the debris piles documented in the referenced AKT Peerless the following violations have been identified:

Process Description	Section Violated	Comments
Demolition of 4 of 7 commercial/industrial buildings at 1010 Hess Ave, Saginaw Michigan	§61.145(a)	Failure to conduct a thorough survey
	§61.145(b)(4)(vi)	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM)
	§61.145(c)(1)	Failure to remove RACM

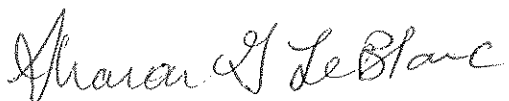
Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by April 11, 2014 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the demolition/violations occurred; an explanation of the cause of the violations; 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.

In addition, District Staff noted that in the Notification of Intent to Renovate/Demolish submitted by Saginaw Development, LLC for the referenced demolition activities (No. 20120205), that an asbestos survey/inspection was reported to have been completed on October 11, 2011. Please include a copy of the report associated with that inspection in your written response.

If Saginaw Development, LLC believes 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 the number listed below.

Sincerely,



Sharon G. LeBlanc
Environmental Quality Analyst
Air Quality Division
989-894-6212

SLB/ai

cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Mr. Chris Hare, DEQ