



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

October 26, 2015

Mr. Robert J. Trafford
OMX, LLC
1044 North US Highway One, Suite 202
Jupiter, Florida 33447

Mr. Jean Luine
Marathon Construction and Demolition, LLC
630 NW 7 Terrace; P.O. Box 14848
Ft. Lauderdale, Florida 33311

SRN: U251509020, Genesee County

Dear Mr. Trafford and Mr. Luine:

VIOLATION NOTICE

On August 25, 2015 and September 30, 2015, inspectors from the Department of Environmental Quality (DEQ), Air Quality Division (AQD), received complaints regarding a demolition at 1101 North Center Road, located in Flint, in Genesee County. On August 25 and 28, 2015, September 1, 2015, and October 1, 2015 investigations were conducted 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. Robert J. Trafford of OMX, LLC hired Mr. Jean Luine of Marathon Construction and Demolition to perform the demolition activities at the above mentioned facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the investigations, staff observed the following:

Process Description	Section Violated	Comments
Demolition activities of the former Delphi facility located at 1101 North Center Road, in Flint, Michigan.	§61.145(b)(1)	Failure to provide 10 working day notification of the intention to demolish/renovate

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by November 16, 2015 (which coincides with 21 calendar days from the date of this letter).

Mr. Robert J. Trafford
Mr. Jean Luine

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The written response should include: the dates 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 dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The 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 or emailed to me at: dechyc@michigan.gov.

If either Mr. Trafford or Mr. Luine believe the above observations or statements are inaccurate or do not constitute a violation of the applicable legal requirement 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 us during our investigations at 1101 North Center Road in Flint, Michigan. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; dechyc@michigan.gov; or mail to DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

cc: Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Mr. Brad Myott, DEQ