



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

December 12, 2018

Mr. Steve Denenberg
2023 West Fullerton Avenue
Chicago, Illinois 60647

Mr. Mike Sullins
Mike Sullins Excavating, Inc.
25962 County Road 681
Bangor, Michigan 49013

SRN / ID: U391810659; Kalamazoo County

Dear Mr. Denenberg and Mr. Sullins:

VIOLATION NOTICE

On December 4, 2018, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) complaint investigation at 54341 M-43 Hwy., Bangor, Kalamazoo County. The purpose of this investigation 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 my investigation, Mr. Steve Denenberg owns the subject facility and Mike Sullins Excavating, Inc., is the contractor who is performing the demolition activities. The National Emission Standard for Asbestos holds both the owner and operator equally liable for any violations.

During the inspection, staff observed the following:

Demolition of the former commercial facility was taking place. However, no contractor was onsite at the time of my inspection. Demolition debris was scattered throughout the facility and around the property. A Notification of Intent to Renovate/Demolish was not submitted to the administrator prior to the demolition activities. Notification and project scheduling are imperative for regulators to perform compliance inspections.

Process Description	Section Violated	Comments
On 12/3/18, staff received a complaint. On 12/4/18, staff arrived on site. Upon arrival, the subject facility was in the process of being demolished. A Notification of Intent to Renovate/Demolish was not submitted to the administrator and no thorough asbestos inspection was performed.	40 CFR 61.145 (a)	Failure to thoroughly inspect facility for the presence of asbestos
	40 CFR 61.145 (b)(1)(3)(i)	Failure to provide the administrator with written notice

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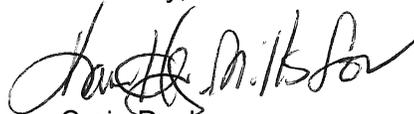
Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by January 2, 2019, (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the 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 dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the signed written response to Mr. Craig Dechy at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scan and email as an attachment to me at Dechyc@michigan.gov and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or 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 that was extended to me during our phone conversations. If you have any questions regarding the violation notification or the actions necessary to bring this facility into compliance, please feel free to contact me at 517-749-2891; dechyc@michigan.gov; or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, MDEQ
Dr. Eduardo Olaguer, MDEQ
Mr. Christopher Ethridge, MDEQ
Ms. Mary Douglas, MDEQ
Ms. Jenine Camilleri, MDEQ
Ms. Karen Kajiya-Mills, MDEQ