



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



C. HEIDI GREYHER
DIRECTOR

December 28, 2016

Mr. Randy Mouw
Barncats, LLC
9099 11 Mile Road NE.
Rockford MI 49341

Mr. Andrew and Kayla Maurer
5570 Hackman Road
Mussey Township, MI 48014

SRN: U741612777, St. Clair County

Dear Messrs. Mouw and Maurer and Ms. Maurer:

VIOLATION NOTICE

On November 15, and December 27, 2016, the Department of Environmental Quality (DEQ), Air Quality Division, conducted a complaint investigation of the property located at 5570 Hackman Road, Mussey Township, MI. The purpose of the inspections was to determine Barncats, LLC and Andrew and Kayla Maurer's 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, Andrew and Kayla Maurer own the facility and Barncats, LLC performed the renovation activities at the facility. The National Emission Standard for Asbestos holds both the owners and operator equally liable for violations.

During the inspection on November 15, 2016, DEQ staff observed a portion of roof decking and roofing shingles had been removed from the barn. The black asphalt shingle layer was found to be friable and tested positive for asbestos; the amount removed was over 160 square feet. On December 27, additional roofing material was found to have been removed from the barn.

| Process Description | Section Violated | Comments |
|------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------|
| Removal of regulated asbestos containing materials (friable asphalt shingles) from a barn located at 5570 Hackman Road, Mussey Township. | 40 CFR 61.145(a) | Failure to thoroughly inspect for asbestos-an asbestos survey was not conducted prior to renovation activities. |

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|------------------------------------------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------|
| The address was the former site of the Capac Mini Storage. | 40 CFR 61.145(b)(3)(i) | Failure to provide notice prior to asbestos work-a 10 day notification was not submitted for removal of friable asbestos. |
| | 40 CFR 61.145(b)(4)(vi) | Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM). |
| | 40 CFR 61.145(c)(1) | Failure to remove RACM prior to renovation-the material was not removed by a licensed asbestos contractor. |
| | 40 CFR 61.145(c)(4) | Failure to contain in leak tight container. |
| | 40 CFR 61.145(c)(6)(i) | Failure to wet RACM |
| | 40 CFR 61.145(c)(8) | No contractor supervisor on site |
| | 40 CFR 61.150(b)(1) | Failure to deposit asbestos containing waste material at a Type II landfill. |

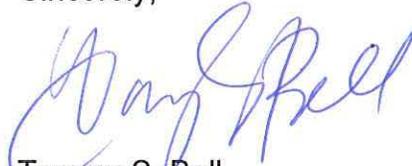
Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by January 18, 2017 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of 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.

If Barncats, LLC or Kayla and Andrew Maurer 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.

Mr. Randy Mouw
Mr. Andrew and Kayla Maurer
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Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my inspection of 5570 Hackman, Rd., Mussey Township, MI. 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,



Tammy S. Bell
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosure/Sample results

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