



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



DAN WYANT
DIRECTOR

July 7, 2014

Mr. Richard F. Menke, Jr.
Mr. Scott Smith
PRO M, LLC
1281 Court St
Clearwater, Florida 33756

SRN: U05144623, Antrim County

Dear Sirs:

VIOLATION NOTICE

In response to information provided for a "historical demo" the Department of Environmental Quality (DEQ), Air Quality Division, conducted a follow up investigation of demolition activities for the Former Maverick Metals building located at 309 N. Danforth, Mancelona, Antrim County, Michigan. The purpose of the investigation was to determine if activities completed were 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 information obtained since that time, it has been determined that, PRO M, LLC owned the facility at the time of the demolition activities at the facility and contracted an independent contractor to demolish the northern portion of the building. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

As a result of the investigation, staff has determined the following:

Process Description	Section Violated	Comments
Demolition of north end of 309 North Danforth, Mancelona, MI	§61.145(b)(1)	Failure to provide 10 working day notification

An asbestos survey is also required under the Asbestos NESHAP prior to initiating demolition or renovation activities that might disturb asbestos, failure to have completed the required inspection by a certified asbestos inspector may have resulted in one or more of the following additional violations:

Process Description	Section Violated	Comments
Demolition of north end of 309 North Danforth, Mancelona, MI	§61.145(b)(4)(vi)	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM)
	§61.145(c)(1)	Failure to remove RACM
	§61.145(c)(3)	Failure to wet during stripping
	§61.145(c)(4)	Failure to contain in leak tight container
	§61.145(c)(6)(i)	Failure to wet RACM that has been stripped
	§61.145(c)(8)	No contractor supervisor on site
	§61.145(c)(9)	Failure to wet RACM during demolition
	§61.145(c)(10)	Failure to remove RACM in building demolished by fire
	§61.150(a)	Visible emissions from asbestos containing waste material generated by source
	§61.150(a)(1)(ii)	Visible emissions from handling operations
	§61.150(a)(1)(iii)	Failure to seal while wet
	§61.150(a)(1)(v)	No generator labels
	§61.150(b)(1)	Failure to deposit asbestos containing waste material as soon as practical
	§61.150(c)	No signs during loading and unloading

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by July 29, 2014 (which coincides with 21 calendar days from the date of this letter). 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.

Please include a copy of a completed notification of intent to renovate or demolish and a copy of the asbestos survey completed prior to demolition for the Mancelona site as part of your response.

If Pro M, 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 violation cited above. If you have any questions regarding the violation 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

SGL/ai

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