



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



LIESL EICHLER CLARK
DIRECTOR

February 10, 2020

UPS NEXT DAY DELIVERY

Mr. Steve Gingerich
737 North Delano Road
Au Gres, Michigan 48703

ID: U062000583; Arenac County

VIOLATION NOTICE

Dear Mr. Gingerich:

On January 31, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at the corner of North Delano Road and West Whitman Road, Au Gres, Arenac County, Michigan. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR), 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 Gingerich owns the subject property and performed 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:

The subject property, an old schoolhouse, was found to not have an asbestos survey or a notification prior to demolition. The building structure was demolished and in a pile. Regulated Asbestos Containing Materials were found within the debris. In discussion with Mr. Gingerich, he stated he was not aware of the NESHAP program and its requirements, but that he had spoken with Whitney Township about demolishing the building and thought he had met all requirements needed prior to demolition.

Mr. Steve Gingerich

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Process Description	Section Violated	Comments
On 1/31/20, staff performed an inspection derived from a complaint of demolition at the corner of Delano Road and Whitman Road, Au Gres, MI, an old schoolhouse.	40 CFR 61.145 (b)(1)	Failure to provide 10 working day notification prior to demolition.
	40 CFR 61.145 (a)	Failure to thoroughly inspect. No asbestos survey/inspection.

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by March 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 is 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. Steven Kidder at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scan and email as an attachment to me at KidderS@Michigan.gov and submit a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or WolfJ2@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 meeting at the site. 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 517-243-4492; KidderS@Michigan.gov; or EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Steven Kidder
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Chris Hare, EGLE
Ms. Karen Kajiya-Mills, EGLE
Mr. Jason Wolf, EGLE