



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GREYER
DIRECTOR

August 8, 2018

Mr. Lewis Pitsch
Pitsch Wrecking, Inc.
675 Richmond NW
Grand Rapids, Michigan 49504

Mr. Jeffery Lawson
County of Cheboygan
P.O. Box 70
Cheboygan, Michigan 49721

SRN: U161802897, Cheboygan County

Dear Mr. Pitsch and Mr. Lawson:

SECOND VIOLATION NOTICE

On July 12, 2018, the Department of Environmental Quality (DEQ), Air Quality Division, conducted an inspection of the former Gold Front building located at 417 North Main Street and 418 North Huron Street, Cheboygan, Michigan. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (CFR), Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAP), Subpart M and Rule 942 of the administrative rules promulgated under Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to our investigation, the County of Cheboygan owns the facility and Pitsch Wrecking, Inc. performed the renovation and demolition activities at the facility. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, staff observed the following:

Pitsch Wrecking, Inc. demolition crew was unable to provide the roof sample results requested by AQD staff on June 26, 2018, when renovation was being undertaken in the facility by Pitsch Wrecking, Inc. The Asbestos & Paint Survey prepared by Mackinac Environmental Technology, Inc. (MET Project No. M17-2792) dated January 8, 2018, indicated that the roofing material samples had not been collected.

Process Description	Section Violated	Comments
Roofing samples were not collected/tested for asbestos prior to demo.	40 CFR 61.145(a)	Failure to thoroughly inspect

On July 16, 2018, AQD staff sent the County of Cheboygan and Pitsch Wrecking, Inc. a Violation Notice citing the above violations discovered as a result of the inspection and requested your written response by August 6, 2018. On July 25, 2018, the AQD received a written response drafted by Mackinac Environmental Technology, Inc. and signed by both Mr. Jeffery Lawson of the County of Cheboygan and Mr. Lewis Pitsch of Pitsch Wrecking, Inc.

Mr. Lewis Pitsch / Mr. Jeffery Lawson

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In the response letter it was stated that:

"...Pitsch removed the roof as an ACM under 1926.1101(g)(11) guidance. This included but was not limited to:...

...5. In accordance with 1926.1101(g)(11)(v). The roof material was assumed to contain asbestos and was removed/disposed at a Type 2 landfill."

The AQD's continuing investigation involved contacting Republic Services, Inc. at the Elk Run Landfill disposal site. Elk Run Landfill provided 63 waste manifests related to the 417 North Main Street, Cheboygan project. All 63 waste manifests indicated that waste received was **NOT** asbestos waste. Copies of the waste manifests are enclosed for your reference.

Please be advised that failure to respond in writing and identifying actions that the County of Cheboygan and Pitsch Wrecking, Inc. will take or has taken to resolve the cited violations may result in escalated enforcement action by the AQD. Please provide the information requested in our July 16, 2018 letter by August 15, 2018, which corresponds to 7 (seven) days from the date of this letter.

Please submit the written response to Matthew Karl at DEQ, AQD, 401 Ketchum Street, Suite B, Bay City, Michigan 48708 or karlm@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.

Be further advised that issuance of this Violation Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under state or federal law as appropriate.

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,



Matthew Karl
Environmental Quality Analyst
Air Quality Division
989 439 3779

cc/via e-mail: Mr. Edward Radecki, MET, Inc.
Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ
Mr. Chris Hare, DEQ