



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

July 10, 2019

Mr. Brad Skillman  
Skillman Corporation  
3834 South Emerson Avenue  
Building A  
Indianapolis, Indiana 46203

Dr. John Deiter  
Dewitt Public Schools  
2957 West Herbison Road  
Dewitt, Michigan 48820

SRN/ID: U191906575; Clinton County

Dear Mr. Skillman and Dr. Deiter:

**VIOLATION NOTICE**

On July 9, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection of David Scott Elementary School, 804 Wilson Street, Dewitt, Clinton 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 our investigation, Skillman Corporation was the general contractor for the renovation project and Dewitt Public Schools owns the facility. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the investigation staff observed the following:

The subject structure was currently undergoing renovation activity. In two different areas there was asbestos containing floor tile that was removed by mechanical means and made to become friable. The floor tile was collected in one area, was dry and covered up with a piece of plastic. Vermiculite was also found in the lunchroom, on contractor equipment, and in a waste container. Due to the disturbance of the vermiculite it wasn't possible to collect a representative sample. Because of this, work should have stopped, and samples collected prior to any further activities. Also, it was discovered that three fire doors that were assumed as RACM were improperly disposed of in a dumpster located in front of the school.

Process Description	Section Violated	Comments
Notification was not submitted prior to removal of asbestos containing floor tile that would become friable due to removal method.	40 CFR §61.145(b)(1)	Failure to provide 10 working day notification prior to start of abatement activities.
No water used during removal of RACM floor tile.	40 CFR §61.145(c)(3)	Failure to wet during stripping.

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RACM floor tile was not contained properly.	40 CFR §61.145(c)(4)	Failure to contain in leak tight container.
RACM floor tile was dry at time of inspection.	40 CFR 61.145(c)(6)(i)	Failure to wet RACM that has been stripped.
RACM floor tile was still on site in a pile.	40 CFR §61.150(b)(1)	Failure to deposit asbestos containing materials as soon as practical.

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by July 31, 2019, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) 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 date(s) by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The *signed* written response from the *owner and operator* to this violation notice, may be submitted by mail and directed to my attention at: EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. You must also include a copy to Mr. Jason Wolf, Enforcement Unit at: EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and emailed to brownj9@michigan.gov and 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 violation cited above and for the cooperation extended to me during our conversation. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-599-7825; brownj9@michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Jeremiah Brown  
Environmental Quality Analyst  
Air Quality Division

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