



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
UPPER PENINSULA DISTRICT OFFICE



C. HEIDI GREETHER
DIRECTOR

August 11, 2017

Mr. Ryan Lindbert
Pro Towing & Sales
7836 US Highway 2
Rapid River, Michigan 49878

Mr. Max Constantino
Max Constantino Trucking
8766 32nd Road
Rapid River, Michigan 49878

SRN: U211705615, Delta County

Dear Mr. Lindbert and Mr. Constantino:

VIOLATION NOTICE

On August 1, 2017, the Department of Environmental Quality (DEQ), Air Quality Division, conducted an inspection of a pile of demolition debris located at 8766 32nd Road, Rapid River, Michigan 49878. The purpose of this inspection was to determine 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, Mr. Ryan Lindbert owns the facility and Mr. Max Constantino performed the demolition activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, staff observed the following:

Process Description	Section Violated	Comments
Facility was demolished without thorough asbestos survey; No notification submitted to DEQ Asbestos Program; Waste stored in a potentially hazardous manner	40 CFR 61.145(b)(1)	Failure to provide 10 working day notification
	40 CFR 61.145(b)(4)(vi)	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM)
	40 CFR 61.145(c)(4)	Failure to contain in leak tight container

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by August 31, 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 Pro Towing & Sales or Max Constantino Trucking 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 violations cited above and for the cooperation that was extended to me during my inspection of 8766 32nd Road, Rapid River, Michigan. 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,



Joseph Scanlan
NESHAP Asbestos Inspector
Air Quality Division
906-458-6405

cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Mr. Edward Lancaster, DEQ