



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYHER
DIRECTOR

August 29, 2016

Mr. Ned Dills
220 Prairie Street
Charlotte, Michigan 48813

Mr. Wayne Cranson
331 South Ainger Road
Charlotte, Michigan 48813

SRN / ID: U231609347; Eaton County

Dear Mr. Ned Dills and Mr. Wayne Cranson:

SECOND VIOLATION NOTICE

On July 28, 2016, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division, received a complaint regarding the dumping of demolition debris with regulated asbestos containing material (RACM), in a vacant farm field located on the south side of M-79, east of Ainger Road, Eaton County, Michigan. The purpose of this investigation 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 my investigation, Mr. Ned Dills is the contractor who performed the demolition activities and Mr. Wayne Cranson is the owner of the property where the demolition debris was disposed of. The demolition activities and the disposal of the demolition debris occurred on or about July 28, 2016. The National Emission Standard for Asbestos holds both the operator and the owner equally liable for violations.

During the investigation, staff observed the following: The subject vacant farm land located on the south side of M-79, east of Ainger Road, in Eaton County, contained piles of demolition debris with transite siding and other suspect regulated asbestos-containing material (RACM). The debris piles were observable from M-79 and are located just off the road on the south side and just east of Ainger Road.

Process Description	Section Violated	Comments
Demolition debris piles disposed of on vacant farm land. The subject property is located on the south side of M-79 and east of Ainger Road in Eaton County, Michigan. The demolition debris was deposited on or about July 28, 2016.	40 CFR 61.150(b)(1)	Failure to properly dispose of RACM.

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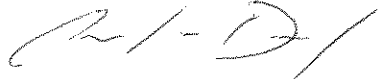
On August 3, 2016, the ADQ issued you a Violation Notice citing a violation discovered as a result of a complaint inspection and requested your written response by August 24, 2016. The violation has been reiterated above, for your convenience. As of this date we have not received a response with an adequate compliance plan addressing the violation that occurred on or about July, 28, 2016.

Please be advised that failure to respond in writing and identifying actions you will take or have taken to resolve the cited violation may result in escalated enforcement action by the AQD. Please provide the information requested in our August 3, 2016, letter by September 8, 2016, which corresponds with 10 calendar days from the date of this letter. The signed written response to this violation notice may be submitted by mail and directed to my attention at; DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909 or scanned and emailed as an attachment to me at; dechyc@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 conversations and investigation. If you have any questions regarding the violation notification or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; dechyc@michigan.gov; or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

cc: Ms. Lynn Fiedler, MDEQ
Mr. Chris Ethridge, MDEQ
Mr. Brad Myott, MDEQ
Mr. Thomas Hess, MDEQ
Ms. Karen Kajiya-Mills, MDEQ