



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



KEITH CREAGH
DIRECTOR

June 2, 2016

Mr. Mark Foltz
Rug Runner
1615 Lake Grove Road
Petoskey, Michigan 49770

Mr. Robert Sanford
West Traverse Township
8001 M-119
P.O. Box 528
Harbor Springs, Michigan 49740

SRN: U241604911, Emmet County

Dear Mr. Foltz and Mr. Sanford:

VIOLATION NOTICE

On April 29, 2016, the Department of Environmental Quality (DEQ), Air Quality Division, conducted a MIOSHA joint inspection of former residential property owned by West Traverse Township located at 5550 West Lake Street in Harbor Springs, Emmet County, Michigan. The purpose of this inspection was to determine if abatement activities conducted at the referenced location were in 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, West Traverse Township owns the facility and Rug Runner performed the renovation/abatement activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the referenced inspection and in subsequent conversations with one or more parties, staff observed the following:

Process Description	Section Violated	Comments
Pre-Demolition Abatement Activities	40 CFR 61.145(b)(1)	Failure to provide 10 working day notification. Activities had been initiated and abatement conducted without a notification submitted for the abatement work conducted between April 19, 2016 and 21, 2016.

	40 CFR 61.145(b)(2)	<p>Failure to update notice.</p> <p>Notification of intent was submitted electronically to AQD Inspector, and sent overnight to Lansing office (received May 6, 2016). The document failed to include in the work schedule time for completing supplemental abatement activities (post April 21, 2016) onsite.</p> <p>No revision of existing notification, re-notification, or other notification to the appropriate AQD inspector was submitted prior to initiating second phase of work.</p>
	40 CFR 61.145(b)(3)(i)	<p>Failure to provide notice prior to asbestos work. As indicated above no notification was submitted prior to initiation of either phase of abatement work by contractor.</p>

Based on telephone discussions and correspondence with West Traverse Township to date, no further response is required at this time.

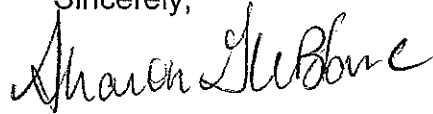
Rug Runner should initiate actions necessary to correct the above cited violations. Specifically, a supplemental notification of intent should be submitted to cover the second phase of abatement activities at the referenced site. A copy of the notification should be submitted with a written response/cover letter to this Violation Notice by June 23, 2016 (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.

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Mr. Mark Foltz
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If either party 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 on April 29, 2016. 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,



Sharon G. LeBlanc
Environmental Quality Analyst
Air Quality Division
Saginaw Bay District Office
989-894-6212

cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Ms. Heidi Hollenbach, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Janis Ransom, DEQ