



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



DAN WYANT
DIRECTOR

July 31, 2014

Mr. Mark Bolle
Bolle Contracting
408 East Fourth
Clare, MI 48617

Village of Kalkaska
200 Hyde Street
Kalkaska, MI 49646

SRN: U40148123, Kalkaska County

Dear Sirs:

VIOLATION NOTICE

On July 24, 2014, the Department of Environmental Quality (DEQ), Air Quality Division, received a complaint regarding demolition activities without a submitted notification for the Former Lumber Yard at 108 Oak Street, Kalkaska, Michigan. The purpose of the subsequent investigation was to determine if demolition activities conducted 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, Village of Kalkaska owns the facility and Bolle Contracting performed the demolition activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations. Information provided by the City of Clare Building Department confirmed that a demolition permit had been issued to the demolition contractor.

AQD Program Staff in response to the referenced complaint, confirmed that a notification of intent to renovate/demolish had not been received electronically or hard copy by Lansing staff. A call to the Kalkaska Building Department indicated that a demolition permit was applied for by Bolle Contracting. The demolition contractor was contacted as part of the investigation and notified that the notification had not been received. This failure resulted in the following violation:

Process Description	Section Violated	Comments
Demolition of commercial building	§61.145(b)(1)	Failure to provide 10 working day notification

In the course of further discussion with the demolition contractor it was brought to light that additional notifications may not have been received by the AQD Asbestos NESHAP Program prior to initiation/completion of demolition activities. Copies of all questionable notifications should be confirmed as received by AQD Program Staff as soon as possible to correct any other outstanding violations that may have occurred.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by August 21, 2014 (which coincides with 21 calendar days from the date of this letter). The written response should include:

- the dates the violation (demolition activities) occurred;
- an explanation of the causes and duration of the violation;
- whether the violation is ongoing;
- a summary of the actions that have been taken and are proposed to be taken to correct the violation and the dates by which these actions will take place; and
- what steps are being taken to prevent a reoccurrence.

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 violation cited above and for the cooperation provided in resolving the referenced violation(s). If you have any questions regarding the violation 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
989-894-6212

SGL/ai

cc: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Janis Ransom, DEQ