



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

April 25, 2018

Ms. Karla J. Wagner
West Michigan Properties, LLC
7305 Young Ave
Rockford, Michigan 49341

Mr. Kenneth Nykamp
Nykamp Trucking
3465 56th Avenue
Hudsonville, Michigan 49426

SRN / ID: U411802366; Kent County

Dear Ms. Wagner and Mr. Nykamp:

VIOLATION NOTICE

On April 20, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) performed an asbestos inspection at 8451 Belding Road, Rockford, Kent County, Michigan. 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 (Act 451).

According to our investigation, Ms. Karla Wagner of West Michigan Properties, LLC is the owner of the property, and Mr. Kenneth Nykamp was the operator who conducted the demolition on the structure at the above address. The National Emission Standard for Asbestos holds the owner and operator liable for all violations.

During the investigation staff observed/discovered the following:

The subject property was completely demolished and most of the debris was removed from site. The concrete slab and some cinder block was all that was left of the structure. The demolition crew from Nykamp Trucking was on site along with the owner. Both the owner and demolition crew confirmed that there was no asbestos survey/inspection and that there was no 10-day notification submitted before the demolition began. During my inspection I found suspect regulated asbestos containing materials (RACM) vinyl floor tile on the concrete slab. The lab results showed that one of the three layers was positive (3% chrysotile).

Ms. Karla J. Wagner
Mr. Kenneth Nykamp
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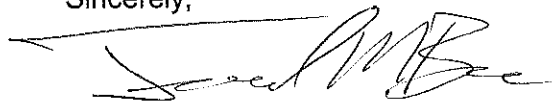
Process Description	Section Violated	Comments
No notification submitted for demolition of a NESHAP subject structure.	§61.145(b)(1)	Failure to provide 10-working day notification
No asbestos survey conducted before demolition	§61.145(a)	Failure to thoroughly inspect
Failure to remove non-friable that will become friable due to activities on site.	§61.145(c)	Failure to remove RACM

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by May 15, 2018, (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 owner and operator 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 may be scanned and sent as an email attachment to brownj9@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 meeting and emails. 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 DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Jeremiah Brown
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Heidi Hollenbach, DEQ
Mr. Malcolm Mead-O'Brien, DEQ
Ms. Karen Kajiya-Mills, DEQ