



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SAGINAW BAY DISTRICT OFFICE



DAN WYANT  
DIRECTOR

June 29, 2015

Mr. Shane Helmer, Fire Chief  
Evert Area Fire Department  
109 East Sixth Street  
Evert, Michigan 49631

Mr. Mark Evans  
Meemos Farm  
12081 3 Mile Road  
Evert, MI 44931

SRN: U671505246, Osceola County

Dear Sirs:

**WARNING LETTER**

On Monday, June 22, 2015, the Department of Environmental Quality (DEQ), Air Quality Division, Cadillac Office, was notified of an intentional burn of a structure located at 1941 100<sup>th</sup> Avenue, Evert, Michigan. The referenced activity was reported to have been conducted by the Evert Area Fire Department on Sunday, June 21, 2015. In response to the complaint, AQD Asbestos National Emission Standard for Asbestos (NESHAP) Staff requested supplemental information for review. The purpose of the request and review was to determine if the referenced intentional burn activities were conducted in compliance with the requirements of Title 40 of the Code of Federal Regulations, Part 61, Subpart M (NESHAP), 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/review, Meemos Farms owns the facility and the Evert Area Fire Department performed the intentional burn (aka demolition by fire) activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

Based on the documents provided and subsequent discussions the following violation was noted:

Process Description	Section Violated	Comments
Intentional Burn at 1941 100 <sup>th</sup> Ave, Evert, Michigan	§61.145(b)(1)	Failure to provide 10 working day notification

Mr. Shane Helmer  
Mr. Mark Evans

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June 29, 2015

It should be noted that AQD Asbestos NESHAP Program Staff have determined that documentation provided substantiates the Fire Department's misconception that the notification had been submitted electronically. Though the above referenced violation did occur, the parties involved do not appear to have attempted to circumvent or disregard the NESHAP.

Submittal of the notification of intent to renovate/demolish by Asbestos NESHAP Program Staff, prompted submittal of the Asbestos Survey for the subject property and a statement by Mr. Helmer that appropriate care will be made to verify that all future submittals are received is sufficient to correct the cited violation. No further response is necessary at this time. Should this or other Asbestos NESHAP violations occur in the future, a violation letter will be issued and the case may go to enforcement.

If either party believes the above observations or statements are inaccurate or do not constitute 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 that was extended to me during my investigation of the referenced intentional burn. If you have any questions regarding this issue, please contact me at the number listed below.

Sincerely,



Sharon G. LeBlanc  
Environmental Quality Analyst  
Air Quality Division  
989-894-6212

sgl/ai

cc/via email: Ms. Karen Kajiya-Mills, DEQ  
Ms. Janis Ransom, DEQ  
Mr. Rob Dickman, DEQ