



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

October 30, 2018

UPS NEXT DAY DELIVERY

ENFORCEMENT NOTICE

In the matter of:

Diamond Floor & Waterproofing Service LLC
5920 North Huron Avenue
Oscoda, Michigan 48750

Diamond Floor & Waterproofing Service LLC
4800 Gaston Way
Oscoda, Michigan 48750

Alpena Public Schools
2373 Gordon Road
Alpena, Michigan 49707

ID: U041704783; Alpena County

ATTENTION: Mr. Brandon Dumont and Mr. Kenneth McInerney:

This letter is to advise you of the commencement of escalated enforcement action against Diamond Floor & Waterproofing Service LLC and Alpena Public Schools for alleged violations that occurred at 3303 South Third Avenue in the city of Alpena, Michigan (ID: U041704783). This letter follows the August 31, 2018 and September 26, 2018, Violation Notices issued by the Michigan Department of Environmental Quality (DEQ), Air Quality Division (AQD), which details violations of the National Emission Standards for Hazardous Air Pollutants for asbestos (Asbestos NESHAP), Code of Federal Regulations, Title 40, Part 61, Subpart M; and Rule 942 of the Michigan Air Pollution Control Rules, Mich Admin Code, R 336.1942. These regulations hold all owners and operators, such as contractors and/or subcontractors, fully liable for compliance with the Asbestos NESHAP.

The AQD is hereby providing Diamond Floor & Waterproofing Service LLC and Alpena Public Schools with an opportunity to demonstrate compliance, present factual information in writing that should be considered regarding the cited violations and meet to discuss options for satisfactorily formally resolving the violations. The proposed formal written resolution will include, among other things, a compliance schedule within an administrative consent order and an appropriate monetary penalty.

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In an effort to seek resolution of the cited federal and state air quality violations, the cited parties will be given an opportunity to discuss a resolution of this matter with the AQD pursuant to Section 5528 of the NREPA, MCL 324.5528, which will satisfy both state and federal requirements. Please contact me at 517-284-6772, or by email at wolfj2@michigan.gov, no later than Friday, November 9th, 2018, to schedule a meeting to discuss the resolution of this matter.

Be advised that failure to respond to this Enforcement Notice in a timely manner and adequately resolve or address the cited violations may result in further enforcement proceedings, including but not limited to, referral of the matter to the Michigan Department of Attorney General (DAG) for commencement of civil litigation. Be further advised that this Enforcement Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under federal or state law as appropriate.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

By:



Jason Wolf
Air Quality Division, Enforcement Unit

Date:

10-30-18

cc: Mr. Neil Gordon, DAG
Ms. Karen Kajiya-Mills, DEQ
Ms. Jenine Camilleri, DEQ