



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GREYER
DIRECTOR

November 23, 2016

Mr. Gary Bilacic
Bilacic Trucking Inc.
2136 East Huron Road
Au Gres, Michigan 48703

Mr. Gerald H. Nelson, M.B.A.
City Manager
City of Standish
399 East Beaver
Standish, Michigan 48658

SRN: U06160778, Arenac County

Dear Sirs:

SECOND VIOLATION NOTICE

On September 14, 2016, the Department of Environmental Quality (DEQ), Air Quality Division, was referred a complaint received by Saginaw Bay District Waste Management & Radiological Division (WMRD) Staff for improper disposal of demolition waste. WMRD Staff had earlier that morning, conducted an inspection of demolition debris generated as a result of the demolition of commercial property located at 203 East Cedar Street, Standish, Michigan. Information obtained from WMRD Staff as a result of complaint investigation activities as well as subsequent complaint investigation activities by AQD District Staff. Based on the information obtained during complaint investigation activities it was determined that the demolition activities conducted at 203 East Cedar Street, Standish, Michigan were not conducted 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, the City of Standish, Michigan owns the facility and Bilacic Trucking & Excavating performed the demolition and transport activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

As a result of the investigation, staff has determined the following:

Process Description	Section Violated	Comments
Demolition of 203 E. Cedar Street,	40 CFR 61.145(b)(1)	Failure to provide 10 working day notification

Standish, Michigan Commercial Property	40 CFR 61.145(b)(4)(vi)	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM)
	40 CFR 61.145(c)(8)	No contractor supervisor on site

On October 17, 2016, the AQD sent the company a Violation Notice citing the above referenced violations discovered as a result of investigative activities and requested your written response by November 7, 2016. A copy of that letter is enclosed for your reference. As of this date, we have not received your response.

Please be advised that failure to respond in writing and identifying actions the company will take or has taken to resolve the cited violations may result in escalated enforcement action by the AQD. Please provide the information requested in our October 17, 2016, letter by December 7, 2016, which corresponds to 14 calendar days from the date of this letter.

Be further advised that issuance of this Violation Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under state or federal law as appropriate.

If you have any questions regarding the violations referenced or the activities necessary to bring these activities into compliance, please contact me at the number listed below.

Sincerely,



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

cc/via e-mail: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Ms. Karen Kajiya-Mills, DEQ
Mr. Thomas Hess, DEQ
Mr. Chris Hare, DEQ