



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREETHER  
DIRECTOR

November 9, 2016

Mr. Alan Jager  
Press's LLC  
8081 Holton Duck Lake Road  
Holton, Michigan 49425

Mr. Dennis Kirksey  
Kirksey Investment Corporation  
1204 West Western Avenue  
Muskegon, Michigan 49441

SRN / ID: U611611944

Dear Mr. Jager and Mr. Kirksey:

**VIOLATION NOTICE**

On November 4, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), performed an asbestos inspection at 1133 West Western Avenue, Muskegon, Muskegon 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.

According to our investigation, Kirksey Investment Corporation owns the property and Press's LLC performed the demolition activities at the site. The National Emission Standard for Asbestos holds the owner and operator equally liable for violations.

During the investigation, DEQ AQD staff, Mr. Jeremiah Brown observed the following:

The subject property had been partially demolished without a scheduled demolition notification submitted, an asbestos survey was not conducted, and there was no abatement of regulated asbestos-containing material (RACM) that was found in the facility. The demolition contractor removed pipes that had asbestos on them, and was not qualified to do so. The asbestos that was removed was not wet or sealed in a leak-tight container.

Process Description	Section Violated	Comments
	§61.145(a)	Failure to thoroughly inspect for asbestos.
	§61.145(b)(1)	Failure to provide a 10 working day notification
	§61.145(c)(1)	Failure to remove RACM
	§61.145(c)(3)	Failure to wet during stripping
	§61.145(c)(4)	Failure to contain in leak-tight container

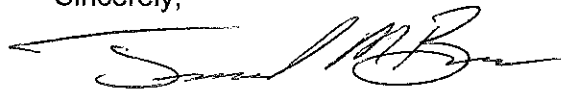
	§61.145(c)(6)(i)	Failure to wet RACM that has been stripped
	§61.145(c)(8)	No contractor supervisor on site
	§61.150(a)(1)(iii)	Failure to seal while wet
	§61.150(b)(1)	Failure to deposit asbestos containing waste material as soon as practical

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by November 30, 2016, (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 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 violations cited above and for the cooperation extended to me during our meeting and emails. If you have any questions regarding this violation notice or the actions necessary to bring the 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. Lynn Fiedler, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Heidi Hollenbach, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Karen Kajiya-Mills, DEQ