



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
MARQUETTE DISTRICT OFFICE



PHILLIP D. ROOS
DIRECTOR

June 25, 2024

VIA EMAIL AND U.S. MAIL

David Lundquist
Delta Solid Waste Management Authority
5701 19th Avenue N
Escanaba, Michigan 49829

SRN: N6035, Delta County

Dear David Lundquist:

VIOLATION NOTICE

On May 16, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Delta Solid Waste Management Authority located at 5701 19th Avenue N, Escanaba, Michigan. The purpose of this inspection was to determine Delta Solid Waste Management Authority's compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; the Air Pollution Control Rules; and the conditions of Renewable Operating Permit (ROP) number MI-ROP-N6035-2022.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EUASBESTOS	40 CFR 61.154(c); Special Condition III.1.c	Asbestos waste deposited in the North landfill is not being covered at the end of each operating day nor is the facility meeting the no visible emission requirement in 40 CFR 61.154(a).
EUASBESTOS	R 336.1213(3); Special Condition VI.4.b	Records of the amount and type of material that has been used to cover the asbestos waste and documentation that the cover material was applied in the frequency required in Special Condition III.1.c were not available.

During the inspection on May 16, 2024, (inspection report enclosed) it was observed asbestos-containing waste material was not adequately covered. Asbestos waste shipment records were reviewed, and asbestos-containing waste materials were last received on

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April 27, 2024, by Delta Solid Waste Management Authority. Since Delta Solid Waste Management Authority is not meeting the no visible emission requirement in SC III.1.a and 40 CFR 61.154(a), the requirements of 40 CFR 61.154(c) or (d) must be met. Based on the last asbestos waste shipment received date of April 27, 2024, the asbestos-containing waste material had not been covered for 19 days. This is a violation of process/operational restrictions specified under EUASBESTOS in Special Condition III.1.c of MI-ROP-N6035-2022 and 40 CFR 61.154(c) of 40 CFR Part 61, Subpart M.

During the records review as part of the inspection, records detailing the amount and type of material used to cover asbestos waste and the frequency of cover material application over asbestos waste were not available. This is a violation of recordkeeping requirements specified under EUASBESTOS in Special Condition VI.4.b of MI-ROP-N6035-2022.

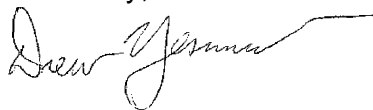
Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by July 17, 2024 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the 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 dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the written response to Drew Yesmunt at EGLE, AQD, Marquette District, at 1504 West Washington Street, Marquette, Michigan 49855 or YesmuntD@Michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Delta Solid Waste Management Authority believes the above observations or statements are inaccurate or do not constitute violations 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 that was extended to me during my inspection of Delta Solid Waste Management Authority. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Drew Yesmunt
Environmental Engineer
Air Quality Division
906-251-8301

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Enclosure

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Michael Conklin, EGLE
James Ferritto, EGLE
Jeremy Howe, EGLE
Carolyn St Cyr, EGLE