

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

IN THE MATTER OF:

Industrial Waste Cleanup	)	FINDING OF VIOLATION
Detroit, Michigan	)	EPA-5-99-MI-11
	)	
PROCEEDINGS PURSUANT TO	)	
SECTIONS 112 AND 113(a) (3) OF THE	)	
CLEAN AIR ACT, 42 U.S.C. §§ 7412	)	
AND 7413(a) (3).	)	

FINDING OF VIOLATION

Pursuant to Section 113(a) (3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a) (3), the State of Michigan and Industrial Waste Cleanup (Industrial), Detroit, Michigan, are hereby notified that the United States Environmental Protection Agency, by authority duly delegated to the undersigned, finds Industrial in violation of Section 112 of the Act, 42 U.S.C. § 7412, and regulations promulgated thereunder setting forth National Emission Standards for Hazardous Air Pollutants for asbestos, 40 C.F.R. Part 61, Subpart M, at the demolition/renovation site located at St. Lawrence School, 44633 Utica Road in Utica, Michigan.

Specifically, Industrial is in violation of 40 C.F.R. §§ 61.145(c) (1), 61.145(c) (6), and 61.150(a) (iii) as follows:

Regulation

Violation

40 C.F.R. §61.145(c) (1)

Industrial, as operator of the St. Lawrence School demolition/renovation site, failed to remove all regulated asbestos containing material (RACM) from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb material or preclude access to the material for subsequent removal.

40 C.F.R. §61.145(c) (6)

Industrial, as operator of the St. Lawrence School demolition/renovation site, failed to adequately wet the RACM and ensure that it remains wet until collected and contained or treated in preparation for disposal.

40 C.F.R. §61.150(a)(iii)

Industrial, as operator of the St. Lawrence School demolition/renovation site, failed to seal all asbestos containing waste material in leak-tight containers.

2/25/99  
Date

  
Richard C. Karl, *FOR*  
Acting Director  
Air and Radiation Division