



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

LANSING

EGLE
LIESL EICHLER CLARK
DIRECTOR

December 15, 2020

UPS NEXT DAY DELIVERY

Mr. Jerry Cook
J.L. Cook Construction, Inc.
3239 Country Road 653
Gobles, Michigan 49055-8201

Mr. Don Scherencel
Historic Adventist Village
411 Champion Street
P.O. Box 1414
Battle Creek, Michigan 49016-1414

SRN/ID: U132003899; Calhoun County

Dear Mr. Cook and Mr. Scherencel:

VIOLATION NOTICE

On December 2, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 233 West Manchester Street, Battle Creek, Calhoun County. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR), 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 my investigation, the Historic Adventist Village owns the subject property and J.L. Cook Construction, Inc., performed the demolition activities. The National Emission Standard for Asbestos holds both the *owner and operator* equally liable for any violations.

During the inspection, staff observed the following:

The demolition of the subject facility had been started, but work was stopped. Regulated Asbestos Containing Material (RACM) pipe insulation was identified in the crawlspace, basement, and in first floor demolition debris significantly more than the surveyed quantity. Evidence of a thorough inspection was not present as these materials were not properly identified (located or quantified) on the provided asbestos survey and were not found prior to beginning demolition activities.

Mr. Jerry Cook and Mr. Don Scherencel

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Process Description	Section Violated	Comments
On 12/2/20, staff performed a Scheduled Demolition inspection at 223 W. Manchester St., Battle Creek. During the inspection, staff observed pieces of TSI pipe insulation in demolition debris significantly more than the quantified amount on the provided asbestos survey.	40 CFR 61.145 (a)	Failure to thoroughly inspect for asbestos.

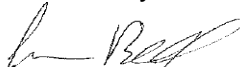
Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by January 5, 2021, (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation, and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the signed written response to Mr. Ivan Bell at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scan and email as an attachment to me at Belli@Michigan.gov and submit a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or WolfJ2@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 violation cited above and for the cooperation that was extended to me during our phone and email conversations. If you have any questions regarding the violation notification or the actions necessary to bring this facility into compliance, please feel free to contact me at 517-582-0535; Belli@Michigan.gov; or EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Ivan Bell
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Rex Lane, EGLE
Mr. Jason Wolf, EGLE
Ms. Karen Kajiya-Mills, EGLE