



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

LANSING

March 30, 2021

UPS NEXT DAY DELIVERY

Ms. Jessica Lohn
207 La Grange Avenue
Battle Creek, Michigan 49014

SRN/MID: U132101249; Calhoun County

Dear Ms. Lohn:

VIOLATION NOTICE

On March 25, 2021, 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 415 Poulsen Avenue, 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, Ms. Jessica Lohn owns the subject property and self-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 subject facility had been demolished with only a small amount of building materials remaining on the slab. An older portion of the structure remains on-site but with no plans for upcoming demolition. Neither a notification of intent to demolish, nor an asbestos survey had been properly completed.

Process Description	Section Violated	Comments
On 3/25/21, staff performed a demolition inspection at 415 Poulsen Avenue, Battle Creek. A notification of intent to demolish was not submitted. A thorough asbestos inspection was not performed prior to demolition activities.	40 CFR 61.145 (a) 40 CFR 61.145 (b)(1)	Failure to thoroughly inspect for asbestos. Failure to provide 10 working day notification.

Ms. Jessica Lohn

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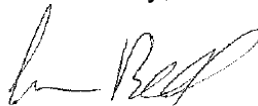
Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by April 20, 2021, (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the 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 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 violations cited above and for the cooperation that was extended to me during our 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
Ms. Karen Kajiya-Mills, EGLE
Mr. Jason Wolf, EGLE