



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

December 7, 2021

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED AND EMAIL**

Ms. Jaime Burrett  
Park Capital Investments  
897 E. Michigan Avenue, #E-04  
Battle Creek, Michigan 49014

Mr. Lou Seman  
14675 Hoffman  
Vandalia, Michigan 49095

SRN / ID: U132106550; Calhoun County

Dear Ms. Burrett and Mr. Seman:

**VIOLATION NOTICE**

On December 1, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 953 E. Michigan Ave., 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, 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 (Act 451).

According to my investigation, Park Capital Investments owns the subject property and Lou Seman 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 was actively being demolished. An asbestos survey was not performed at the site and a notification of intent to demolish had not been submitted. Approximately five mobile homes were still onsite. These mobile homes were to be either demolished or relocated.

Process Description	Section Violated	Comments
On 12/1/21, staff performed an installation demolition inspection at 953 E. Michigan Ave., 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)	Failure to thoroughly inspect for asbestos
	40 CFR 61.145 (b)(1)	Failure to provide 10 working day notification

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by December 28, 2021, (which coincides with 21 calendar days from the date of this

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 recurrence.

Please submit the signed written response to Mr. Ivan Bell at EGLE, AQD, 301 East Louis Glick Highway, Jackson, Michigan 49201-1556, or scan and email as an attachment to me at [belli@michigan.gov](mailto: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 [Wolf2@michigan.gov](mailto:Wolf2@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 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](mailto:belli@michigan.gov); or EGLE, AQD, 301 East Louis Glick Highway, Jackson, Michigan 49201-1556.

Sincerely,



Ivan Bell

Environmental Quality Analyst  
Air Quality Division

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