



GRETCHEN WHITMER
GOVERNOR

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



DANIEL EICHINGER
ACTING DIRECTOR

March 22, 2023

James Byrum
Byrum Builders, LLC
116 Charles Street
Lansing, Michigan 48912

James Byrum
Holt Development, LLC
4933 Bellevue Road
Onondaga, Michigan 49264

ID: U332301608; Ingham County

Dear James Byrum:

VIOLATION NOTICE

On March 16, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection of a commercial building located at 1974 Cedar Street, Holt, Ingham County, Michigan.

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 our investigation, Holt Development, LLC is the owner of the property and Byrum Builders, LLC performed the demolition activities at the site. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the investigation staff observed the following:

The subject structure located at 1974 Cedar Street was mostly demolished and a large portion of the demolition debris was removed from the site. There was a concrete slab that had 9x9 floor tile still in place. During the demolition process, it was crumbled and made the Category II non-friable material become Regulated Asbestos Containing Material (RACM). Sample results of the 9x9 floor tile confirmed the presence of asbestos above 1 percent. In multiple locations, Thermal Systems Insulation (TSI), which is RACM, was found on the ground, on pipes that were in a crawl space of an undemolished portion of the building and where metal was being staged for recycling. Sample results confirmed the presence of asbestos above 1 percent in the TSI.

Process Description	Section Violated	Comments
Failure to provide 10 working day notification.	40 CFR §61.145(b)(1)	Failed to submit a 10-working day notification prior to demolition of subject building.
Failure to remove RACM	40 CFR §61.145(b)(1)	Failure to have all RACM abated prior to demolition activities

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Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by April 12, 2023 (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) 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 date(s) by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The *signed* written response from the *owner and operator* to this violation notice, may be submitted by mail and directed to my attention at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. You must also include a copy to Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and emailed to BrownJ9@Michigan.gov and 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 extended to me during our conversation. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-599-7825; e-mail at BrownJ9@Michigan.gov; or the post office box address provided above.

Sincerely,



Jeremiah Brown
Senior Environmental Quality Analyst
Air Quality Division

cc: Annette Switzer, EGLE
Chris Ethridge, EGLE
Brad Myott, EGLE
Robert Byrnes, EGLE
Regina Angellotti, EGLE
Jason Wolf, EGLE