



GRETCHEN WHITMER  
GOVERNOR

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



AARON KEATLEY  
ACTING DIRECTOR

June 14, 2023

SENT VIA EMAIL ONLY

Rod Russell  
City of Portage  
7719 South Westnedge Avenue  
Portage, Michigan 49002

SRN / ID: U392303893; Kalamazoo County

Dear Rod Russell:

**VIOLATION NOTICE**

On June 6, 2023, 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 9138 Portage Road, Portage, Kalamazoo 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, the City of Portage owns the subject property, and the Department of Public Services self-performed the demolition activities. The National Emission Standard for Asbestos holds the owner/operator liable for any violations.

During the inspection, staff observed the following:

The subject facility had been recently demolished. An asbestos survey had been conducted prior to the demolition however a notification of intent to demolish had not been submitted.

Process Description	Section Violated	Comments
On 3/27/23, staff performed a post demolition inspection at 9138 Portage Rd., Portage. During the inspection, staff observed a site where a demolition of a commercial structure took place.	40 CFR 61.145 (b)(1)	Failure to provide 10-day notification of intent to demolish.

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by July 5, 2023, (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 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 and

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submit a copy to Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or [Wolfj2@michigan.gov](mailto: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 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  
Senior Environmental Quality Analyst  
Air Quality Division

cc: Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Rex Lane, EGLE  
Jason Wolf, EGLE  
Jeremy Howe, EGLE