



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
AIR QUALITY DIVISION



PHILLIP D. ROOS
DIRECTOR

February 24, 2025

VIA USPS

Jerry Cook
J. L. Cook Construction, Inc.
03239 County Road 653
Gobles, Michigan 49055

Joshua Leppien
City of St. Louis
Downtown Development Authority
300 North Mill Street
St. Louis, Michigan 48880

SRN/ID: U292400531; Gratiot County

Dear Jerry Cook and Joshua Leppien:

VIOLATION NOTICE

On January 21, 2025, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an investigation into the demolition conducted at 403 South Clinton Street, St. Louis, Gratiot 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, City of St. Louis DDA is the owner and J.L. Cook Construction conducted the demolition activities. 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 403 South Clinton Street had been demolished on or around February 10, 2024. According to the asbestos survey conducted by Tri-Terra, several items were determined to be asbestos containing. These items include Plaster (800sq/ft), Joint Compound (100 sq/ft) and Cement Board (30sq/ft). These Category II non-Friable materials need to be abated prior to demolition, because they will become Friable due to the demolition and abatement activities. There is no indication that these materials were abated prior to the demolition activities. This would include a 10-working day notification submitted for the abatement along with a signed Waste Manifest that an approved Type II landfill received these items.

Process Description	Section Violated	Comments
Failure to abate Cat II non-friable that will be made friable due to demolition	40 CFR 61.145(c)(1)	Failure to remove RACM.

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Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by March 17, 2025 (which coincides with 21 calendar days from the date of this letter). The written response shall 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.
- What steps are being taken to prevent a reoccurrence.
- If an asbestos abatement was done prior to demolition, please include the following information.
 - Name of abatement company, copy of 10-working day notification, dates of asbestos abatement, copies of signed waste shipment records and name of contractor supervisor that was onsite.
- Acknowledgement of receipt, and understanding of, the attached "Understanding NESHAP" fact sheet.

The *signed* written response from the *owner and operator* to this violation notice may be submitted by mail and directed to Jeremy Brown, AQD, Asbestos Unit, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and emailed to BrownJ9@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 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 in the paragraph above.

Sincerely,



Jeremiah Brown
Senior Environmental Quality Analyst
Air Quality Division

Attachment: NESHAP Fact Sheet

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Robert Byrnes, EGLE
Tammy Bell, EGLE
Jason Wolf, EGLE