



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

August 7, 2019

UPS NEXT DAY DELIVERY

Mr. Minal Patel
ENAS Hospitality
7644 Caterpillar Court, NE
Grand Rapids, Michigan 49548

Mr. Dave VanBuren
Ace Demolition, Inc.
3311 Redmond Avenue
Kalamazoo, Michigan 49001

SRN / ID: U391905690; Kalamazoo County

Dear Mr. Patel and Mr. VanBuren:

VIOLATION NOTICE

On July 23, 2019, 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 3717 Cork Street, Kalamazoo, Kalamazoo County, Michigan. 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, ENAS Hospitality owns the subject property and ACE Demolition Inc., performed the abatement and 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 mostly demolished with only a partial wall still standing, the slab foundation was in place along with a debris pile. The Notification's project schedule stated that the demolition's end date was July 12, 2019. Additionally, staff observed and sampled (3717-4) broken and crumbled pieces of board backing. The test results indicated that the board backing contained 20 percent chrysotile form asbestos. The asbestos containing waste was dry and scattered throughout the debris pile.

Process Description	Section Violated	Comments
On 7/23/19, staff performed a post scheduled demolition inspection at 3717 Cork Street, Kalamazoo. Staff observed that the demolition was not complete and noted suspect material in the debris pile. The suspect material tested positive for asbestos.	40 CFR 61.145 (a)	Failure to thoroughly inspect.
	40 CFR 61.145 (b)(2)	Failure to update notification.
	40 CFR 61.145 (c) (4)	Failure to properly contain.
	40 CFR 61.145 (c)(1)(iii)	Failure to wet.
	40 CFR 61.150 (b)(1)	Failure to properly dispose of.

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Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by August 28, 2019, (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. Craig Dechy at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scan and email as an attachment to me at Dechyc@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 phone conversation. 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 517-749-2891; dechyc@michigan.gov; or EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

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