



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

September 11, 2020

UPS NEXT DAY DELIVERY

Mr. William Dow
Seerco, Inc.
14441 West Eleven Mile Road
Oak Park, Michigan 48237

Mr. Josh Balkema
Balkema Sitework and Development, LLC
2702 Ravine Road
Kalamazoo, Michigan 49004

SRN/ID: U392003129; Kalamazoo County

Dear Mr. Dow and Mr. Balkema:

VIOLATION NOTICE

On September 2, 2020, 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 5811 South Westnedge Avenue and 5817 South Westnedge Avenue, Portage, Kalamazoo County. 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 my investigation, Seerco, Inc. represents the owner of the subject property and Balkema Sitework and Development, LLC, 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 facilities had been demolished by Balkema Sitework and Development, LLC. During the inspection, site-work was being performed by Balkema Sitework and Development, LLC. During the inspection it was noted that the subject facility had an abatement notification into the Michigan Occupational Safety and Health Administration for asbestos abatement at a previous date. However, a 10-day notification of intent to demolish had not been submitted by the demolition contractor.

VIOLATION NOTICE

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Process Description	Section Violated	Comments
On 9/2/20, staff performed an inspection at 5811 and 5817 South Westnedge Avenue, Portage. During the inspection, staff observed an active demolition site without a 10-day notification of intent to demolish submitted.	40 CFR 61.145 (b)(1)	Failure to provide 10 working day notification.

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by October 2, 2020, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date 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; and what steps are being taken to prevent a reoccurrence.

Please submit the signed written response to Mr. Ivan Bell at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scan and email as an attachment to me at 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 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 on-site and phone 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; or EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Ivan Bell
Environmental Quality Analyst
Air Quality Division

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