



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

March 13, 2018

Ms. Katie Montoya
Berrien County Treasurer's Office
701 Main Street
Saint Joseph, Michigan 49085

SRN / ID: U111800953; Berrien County

Dear Ms. Montoya:

VIOLATION NOTICE

On February 26, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 106 West Washington Street, New Buffalo, Berrien 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 inspection, the Berrien County Treasurer's Office owns the subject facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for any violations.

During the inspection, staff observed the following:

Suspect Regulated Asbestos Containing Material (RACM) in the form of vermiculite insulation was observed in the attic of the facility. A sample of the vermiculite insulation was collected for testing. The test results indicated that the vermiculite contained 2.25% Tremolite, which is a type of asbestos.

Process Description	Section Violated	Comments
During the pre-demolition inspection of the subject facility located at 106 West Washington Street, New Buffalo, Berrien County, staff observed suspect RACM in the form of vermiculite insulation. The vermiculite tested positive for asbestos.	40 CFR 61.145 (a) and DEQ AQD Consent Order No. 26-2016	Failure to thoroughly inspect for the presence of asbestos.

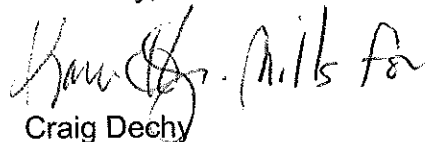
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Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by April 3, 2018, (which coincides with 21 calendar days from the date of this letter). The written response should include: the 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; and what steps are being taken to prevent a reoccurrence. The signed written response to this violation notice may be submitted by mail and directed to my attention at: DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909 or scanned and emailed as an attachment to me at: dechyc@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 that was extended to me during my phone conversation with your staff. 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 DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Mary Douglas
Mr. Thomas E. Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ