



STATE OF MICHIGAN
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 LANSING



RICK SNYDER
 GOVERNOR

C. HEIDI GREYHER
 DIRECTOR

September 13, 2018

Mr. Rich Kubsch
 Oronoko Charter Township
 4583 East Snow Road
 Berrien Springs, Michigan 49103

Mr. Dwane Knuth
 Knuth Excavating, LLC
 2352 East Shawnee Road
 Berrien Springs, Michigan 49103

SRN / ID: U111807431; Berrien County

Dear Mr. Kubsch and Mr. Knuth:

VIOLATION NOTICE

On September 12, 2018, the Department of Environmental Quality (DEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) complaint investigation at 8922 M-139, Berrien Springs, Berrien County. The purpose of this investigation 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, Oronoko Charter Township was the subject facility's controlling entity at the time of the demolition and Knuth Excavating, LLC, was the company performing 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:

Demolition activities were taking place at a former commercial building and the operator was on site loading out demolition debris.

Process Description	Section Violated	Comments
Received a complaint about demolition activities taking place at a former commercial building located at 8922 M-139, Berrien Springs, Berrien County. Complainant was concerned with proper procedures being taken regarding demolition and notification.	40 CFR 61.145 (b)(1)	Failure to provide the administrator with written notice of intention to demolish or renovate.

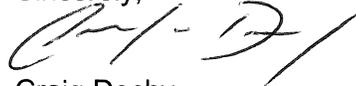
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Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by October 4, 2018, (which coincides with 21 calendar days from the date of this letter). The written response should include: the 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. 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 site visit. 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. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Mary Douglas, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ