



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREYER  
DIRECTOR

April 24, 2018

Ms. Amy Rose Robinson  
Calhoun County Land Bank Authority  
315 West Green Street  
Marshall, Michigan 49068

Mr. Scott Krugielka  
Rightway Remediation, LLC  
4407 Center Street  
Saginaw, Michigan 48604

SRN / ID: U131800931; Calhoun County

Dear Ms. Robinson and Mr. Krugielka:

**VIOLATION NOTICE**

On April 18, 2018, the Department of Environmental Quality (DEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 26 Reed Street, Battle Creek, Calhoun 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 investigation, the Calhoun County Land Bank Authority owns the subject facility and Rightway Remediation, LLC, is the contractor who performed the planned renovation 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:

Planned renovation activities were taking place on the facility which included the removal of asbestos containing stucco siding. The regulated asbestos containing material (RACM) was: dry, broken, pulverized and lying all over the front porch without proper leak-tight containment.

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Process Description	Section Violated	Comments
Upon arrival to perform a planned renovation inspection of the subject facility located at 26 Reed St., Battle Creek, Calhoun County, staff observed the abatement of asbestos containing stucco siding. No wetting or proper containment of RACM was observed during this site visit.	40 CFR 61.145 (c)(6)	Failed to adequately wet regulated asbestos containing waste material.
	40 CFR 61.150 (a)(1)(iii)	Failed to seal all regulated asbestos containing waste material in leak-tight containers.

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by May 15, 2018, (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. 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](mailto: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 violations cited above and for the cooperation that was extended to me during my site visit 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 517-749-2891; [dechyc@michigan.gov](mailto: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  
Mr. Malcolm Mead-O'Brien, DEQ  
Ms. Karen Kajiya-Mills, DEQ