



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

September 5, 2018

Mr. Ryan Bays
Schweitzer Construction
86 South Division Street
Battle Creek, Michigan 49017

Mr. Michael Kelly
Environmental Maintenance Engineers, Inc.
25851 Trowbridge Street
Inkster, Michigan 48141-2465

SRN / ID: U131806051; Calhoun County

Dear Mr. Bays and Mr. Kelly:

VIOLATION NOTICE

On August 30, 2018, the Department of Environmental Quality (DEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) complaint investigation at 20 North Division, Battle Creek, Calhoun 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, Schweitzer Construction is the owner representative for the subject facility and Environmental Maintenance Engineers, Inc., is the company performing the renovation activities (abatement). The National Emission Standard for Asbestos holds both the owner and operator equally liable for any violations.

During the inspection, staff observed the following:

Abatement activities had taken place on the exterior of the facility and asbestos containing waste material was identified on the ground and surrounding area.

Process Description	Section Violated	Comments
Received a phone call complaint regarding the handling of asbestos containing waste material during abatement activities taking place at 20 North Division Street, Battle Creek, Calhoun County.	40 CFR 61.145 (6)(i)	Failure to adequately wet the material and ensure that it remains wet until collected and contained.
	40 CFR 61.150 (a)(1)(iii)	Failure to seal all asbestos containing waste material in leak tight containers.

Mr. Ryan Bays and Mr. Michael Kelly

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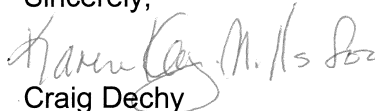
September 5, 2018

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by September 26, 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.

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 and 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 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