



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
MARQUETTE DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

June 8, 2021

VIA E-MAIL

Mr. Thomas Pawlowski
Department of Technology, Management and Budget
14 State Street
Saint Ignace, Michigan 49781

Mr. Mark Bolle
Bolle Contracting LLC
408 East Fourth Street
Clare, Michigan 48617

Mr. Chris Kestner
Materials Testing Consultants, Inc.
693 Plymouth Avenue, N.E.
Grand Rapids, Michigan 49505

SRN: U482004132, U482003378, U482004291, Luce County

Dear Sirs:

VIOLATION NOTICE

On May 26, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted inspections of Building 1, Building 14, and Building 35 at the former Newberry State Hospital located at 13747 County Road 428 in the Village of Newberry, Luce County. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (CFR), Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAP), Subpart M and Rule 942 of the administrative rules promulgated under Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to our investigation, the State of Michigan Department of Technology, Management, and Budget (DTMB) owns the facility, Materials Testing Consultants, Inc. performed the asbestos survey, and Bolle Contracting LLC performed the asbestos abatement activities, at the facility. The NESHAP for Asbestos holds both the owner and operators equally liable for violations.

During the inspection, staff observed the following:

Process Description	Section Violated	Comments
Building 1 (SRN U482004132)	40 CFR 61.145	Failure to thoroughly inspect.
	40 CFR 61.145(b)(4)(vi)	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM)

	40 CFR 61.145(c)(1)	Failure to remove RACM.
Building 14 (SRN U482004291)	40 CFR 61.145	Failure to thoroughly inspect.
Building 35 (SRN U482003378)	40 CFR 61.145	Failure to thoroughly inspect.
	40 CFR 61.145(b)(2)	Failure to update notice.

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by June 29, 2021 (which coincides with 21 calendar days from the date of this letter). The 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.

Please submit your written response to Mr. Joseph Scanlan at EGLE AQD, 1504 West Washington Street, Marquette, Michigan 49855 or ScanlanJ@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 violations of the applicable legal requirements cited, please provide 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 inspection of the former Newberry State Hospital. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Joseph Scanlan
Air Quality Division
906-458-6405

cc: Marijuana Regulatory Agency
Mr. Michael Turnquist, DTMB
Mr. Trevor LaBarre, MDOC
Mr. Craig Carruthers, MDOC
Mr. Aaron Keatley, EGLE
Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Jenine Camilleri, EGLE
Ms. Karen Kajiya-Mills, EGLE
Mr. Ed Lancaster, EGLE
Mr. Jason Wolf, EGLE