



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



PHILLIP D. ROOS
DIRECTOR

October 16, 2024

VIA E-MAIL

Whitney Anderson
301 North Madison Avenue
Bay City, Michigan 48708

Will McLachlan
WIHN Properties, LLC
6426 East Tomah Road
Mt Pleasant, Michigan 48858

SRN/ID: U092405943; Bay County

VIOLATION NOTICE

Dear Whitney Anderson and Will McLachlan:

On September 26, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) complaint inspection at 301 North Madison Avenue, Bay City, Bay County. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR), 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.

According to my investigation, Whitney Anderson owns the subject property and WIHN Properties, LLC performed the renovation/ demolition activities. The National Emission Standard for Asbestos holds both the *owner and operators* equally liable for any violations.

During the inspection, staff observed the following:

Renovation work had started in the basement of the church. Plaster walls, ceilings, and other building materials had been removed and pushed into a room that is to be demolished at a later date. The owner stated that an asbestos building survey had not been completed prior to renovation and/or demolition.

Process Description	Section Violated	Comments
On 9/26/24, staff performed a complaint inspection at 301 N Madison Ave, Bay City.	40 CFR 61.145 (a)	Failure to thoroughly inspect. No asbestos building survey/inspection.

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by November 8, 2024. The written response should include: the dates the violation occurred; an explanation of the causes and duration of

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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 from the operators to this violation notice may be submitted by mail and directed to the attention of Jeremy Howe, Supervisor, Technical Programs Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 and must include a copy to Jason Wolf, Enforcement Unit at the same address. The response may be scanned and e-mailed to HoweJ1@Michigan.gov and WolfJ2@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 our conversations about the site.

Sincerely,



Steven Kidder
Environmental Quality Analyst
Air Quality Division

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jeremy Howe, EGLE
Gina McCann, EGLE
Jason Wolf, EGLE