



GRETCHEN WHITMER
GOVERNOR

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

LANSING

LIESL EICHLER CLARK
DIRECTOR



December 8, 2020

UPS NEXT DAY DELIVERY

Mr. Gregory Shell
3195 Royalton Heights
Saint Joseph, Michigan 49085

Mr. Don Meeks Jr.
Meeks Contracting Services, LLC
271 West Market Street
Benton Harbor, Michigan 49022

SRN/ID: U112004203; Berrien County

Dear Mr. Shell and Mr. Meeks:

VIOLATION NOTICE

On November 30, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 1393 M-139, Benton Harbor, Berrien 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, Gregory Shell owns the subject property and Meeks Contracting Services, LLC performed 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:

The subject facility did not have a notification in for the scheduled demolition of the building. During our inspection of the property, several small pieces of asbestos floor tile, mastic, and cementitious asbestos material were observed on the ground at the demolition site. A thorough asbestos inspection report was not generated for this facility.

VIOLATION NOTICE

Mr. Gregory Shell and Mr. Don Meeks Jr.

Page 2

December 8, 2020

Process Description	Section Violated	Comments
On 11/30/20, staff performed a demolition site inspection at 1393 M-139, Benton Harbor. During the inspection, staff observed pieces of asbestos containing materials (ACM) at the demolition site. A notification of intent to demolish had not been submitted in accordance with the asbestos NESHAP. The presence of this ACM was not identified prior to demolition.	40 CFR 61.145 (a)	Failure to thoroughly inspect for asbestos.
	40 CFR 61.145 (b)(1)	Failure to provide 10 working day notification.

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by December 29, 2020, (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.

Please submit the signed written response to Mr. Ivan Bell at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scan and email as an attachment to me at Belli@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 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 our phone and email 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 517-582-0535; Belli@Michigan.gov; or EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Ivan Bell
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Rex Lane, EGLE
Ms. Karen Kajiya-Mills, EGLE
Mr. Jason Wolf, EGLE