



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREETHER  
DIRECTOR

August 25, 2016

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

Mr. John Sears  
SC Environmental Services, LLC  
701 East South Street  
Lansing, Michigan 48901-1281

SRN/ID: U131608796  
Calhoun County

Dear Ms. Robinson and Mr. Sears:

### **VIOLATION NOTICE**

On August 22, 2016, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 83 North McKinley Avenue, 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.

According to my investigation, Ms. Amy Rose Robinson of the Calhoun County Land Bank Authority is the responsible person for the property, and Mr. John Sears of SC Environmental Services, LLC, is the contractor who performed the abatement activities. The abatement of the subject property occurred on August 15, 2016. The National Emission Standard for Asbestos holds both the owner and the operator equally liable for the violation.

During the inspection, staff observed the following: The contractor failed to remove RACM (Regulated Asbestos Containing Material) in the form of duct wrap insulation. The duct wrap was observed in two separate locations in the basement on duct work located between floor joists overhead. Additionally, the duct wrap insulation was not identified on the asbestos survey.

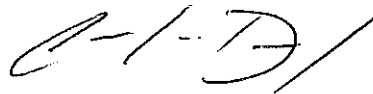
Process Description	Section Violated	Comments
Incomplete abatement of RACM in the residential structure located at 83 North McKinley Avenue, Battle Creek, Calhoun County. The planned renovation occurred on August 15, 2016.	40 CFR 61.145 (a) Consent - AQD No. 11-2013	Failure to thoroughly inspect.
	40 CFR 61.145(c)(1) Consent – AQD No. 11-2013	Failure to remove RACM.

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by September 15, 2016, (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 our 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. Lynn Fiedler, MDEQ  
Ms. Mary Ann Dolehanty, MDEQ  
Mr. Christopher Ethridge, MDEQ  
Ms. Mary Douglas, MDEQ  
Mr. Thomas Hess, MDEQ  
Ms. Karen Kajiya-Mills, MDEQ