



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

June 7, 2018

Mr. Richard Bolek
City of Battle Creek
10 North Division Street
Battle Creek, Michigan 49017

Mr. John Bodbyl
JMB Demolition, LLC
7357 Barry Street
Zeeland, Michigan 49464

SRN / ID: U131802993; Calhoun County

Dear Mr. Bolek and Mr. Bodbyl:

VIOLATION NOTICE

On June 5, 2018, the Department of Environmental Quality (DEQ), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 17 Forest Street, 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 (Act 451).

According to my investigation, the City of Battle Creek owns the subject facility and JMB Demolition, LLC is the contractor who 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:

Staff arrived on site to perform a post-planned renovation inspection of the home. However, the home was demolished upon arrival. The demolition activities occurred prior to the scheduled demolition's project schedule start date of June 6, 2018.

Process Description	Section Violated	Comments
Upon arrival to perform a post-planned renovation inspection of the subject facility located at 17 Forest Street, Battle Creek, Calhoun County, staff observed demolition activities prior to the project's scheduled start date of June 6, 2018.	40 CFR 61.145 (b)(2)	Failed to update the 10-working day written notice of intention to demolish

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Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by June 28, 2018, (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of 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 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. 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