



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

June 21, 2024

VIA E-MAIL

Carl Turner
New Level Sports Ministries
400 Michigan Avenue West
Battle Creek, Michigan 49037

Ryan Groat
R&H Tractor Services, LLC
2185 South M-37 Highway
Hastings, Michigan 49058

SRN/ID: U132403597; Calhoun County

Dear Carl Turner and Ryan Groat:

VIOLATION NOTICE

On June 13, 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) inspection at 47.5 South Kendall 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 (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, New Level Sports Ministries owns the subject property and R&H Tractor 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 had been recently demolished. Three structures were demolished on the site. An asbestos survey and asbestos abatement had been conducted prior to the demolition, however a notification of intent to demolish had not been submitted.

Process Description	Section Violated	Comments
On 6/13/24, staff performed a post demolition inspection at 47.5 S. Kendall St., Battle Creek. During the inspection, staff observed that three buildings had been recently demolished. A notification of intent to demolish had not been submitted.	40 CFR 61.145 (b)(1)	Failure to provide a 10-working day notification of intent 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 July 19, 2024. 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 from the owner and operator may be submitted by mail to Jeremy Howe, TPU Supervisor, 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 as an attachment 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. 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, 301 East Louis Glick Highway, Jackson, Michigan 49201-1556.

Sincerely,



Ivan Bell
Senior Environmental Quality Analyst
Air Quality Division

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Monica Brothers, EGLE
Jason Wolf, EGLE
Jeremy Howe, EGLE