



GRETCHEN WHITMER  
GOVERNOR

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

LANSGING  
**EGLE**  
LIESL EICHLER CLARK  
DIRECTOR

LANSGING

October 16, 2020

UPS NEXT DAY DELIVERY

Mr. David Randall  
5200 Morrish Road  
Swartz Creek, Michigan 48473

SRN/ID: U252003618; Genesee County

Dear Mr. Randall:

**VIOLATION NOTICE**

On October 13, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted a complaint investigation at 5203 Morrish Road, Swartz Creek, Genesee County. The purpose of this investigation 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, Mr. Randall is the owner of the former Swartz Creek Elevator and is also the entity doing the renovation activities on the subject facility. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the inspection, EGLE staff observed the following:

The exterior siding of the former Swartz Creek Elevator had been removed. Some siding material was observed on the ground around the facility. The suspect material was not sampled or tested for asbestos by the facility owner. Additional suspect materials were identified in the facility. The owner failed to have a thorough asbestos inspection done on the facility prior to any renovation activities that may have disturb asbestos containing materials.

Process Description	Section Violated	Comments
On October 13, 2020, EGLE-AQD received a complaint regarding a renovation activity that included the removal of asbestos containing siding. The siding had been removed and no thorough asbestos survey had been performed prior to the activities.	40 CFR §61.145(a)	Failure to thoroughly inspect.

## VIOLATION NOTICE

Mr. Randall

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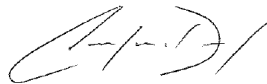
October 16, 2020

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by November 6, 2020, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) 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 date(s) 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* to this violation notice, may be submitted by mail and directed to my attention at: EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. You must also include a copy to Mr. Jason Wolf, Enforcement Unit at: EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and emailed to DechyC@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 extended to me during my site visit. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; DechyC@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Craig W. Dechy  
Environmental Quality Analyst  
Air Quality Division

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