



GRETCHEN WHITMER  
GOVERNOR

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

LANSING

**EGLE**  
LIESL EICHLER CLARK  
DIRECTOR

March 17, 2020

UPS NEXT DAY DELIVERY

Mr. Mitch Milner  
Milner and Caringella, Inc.  
1803 St. Johns Avenue  
Suite 5  
Highland Park, Illinois 60035

Mr. Douglas Miller  
D.E. Excavating  
1302 Seymour Avenue  
Jackson, Michigan 49202

SRN/ID: U382000978; Jackson County

Dear Mr. Milner and Mr. Miller:

**VIOLATION NOTICE**

On March 5, 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 2388 West Michigan Avenue, Jackson, Jackson 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, Milner and Caringella, Inc. owns the subject property and D.E. Excavating 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 previously had a notification in for the abatement of floor tile prior to demolition. However, the subject facility did not have a notification in place for the demolition that had occurred prior to this inspection but after abatement activities.

Mr. Mitch Milner and Mr. Douglas Miller

Page 2

March 17, 2020

Process Description	Section Violated	Comments
On 3/5/20, staff performed an inspection at 2388 West Michigan Avenue, Jackson. During the inspection, staff observed that demolition activities had recently occurred. Upon further investigation, no scheduled demolition notice was in place.	40 CFR 61.145 (b)(1)	Failure to provide 10 working day notification.

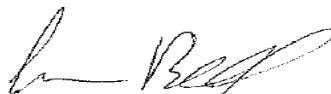
Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by April 15, 2020, (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the 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.

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](mailto: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](mailto: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 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 517-582-0535; [Belli@Michigan.gov](mailto: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  
Ms. Karen Kajiya-Mills, EGLE  
Mr. Scott Miller, EGLE  
Mr. Jason Wolf, EGLE