



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREYER  
DIRECTOR

January 24, 2018

Mr. Kenn Hartmann  
Kalamazoo County Land Bank  
1523 Riverview Drive  
Kalamazoo, Michigan 49001

Mr. Brian Tolson  
Tolson Total Environmental  
114 Emerson Street  
Kalamazoo, Michigan 49001

SRN / ID: U391800114; Kalamazoo County

Dear Mr. Hartmann and Mr. Tolson:

**VIOLATION NOTICE**

On January 8, 2018, the Michigan Department of Environmental Quality (DEQ), Air Quality Division (AQD), performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 1502 East Michigan Avenue, Kalamazoo, Kalamazoo 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, the Kalamazoo County Land Bank owns the subject facility and Tolson Total Environmental was hired to perform the planned renovation or abatement work. The planned renovation or abatement work took place on or about January 5, 2018. 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 contractor had failed to remove all regulated asbestos containing material (RACM) from the facility post planned renovation. RACM in the form of thermal systems insulation (TSI) was observed on three duct registers; two registers in bedrooms on the second floor and one register in the dining room.

Process Description	Section Violated	Comments
During the post-planned renovation inspection of the subject facility located at 1502 E. Michigan Ave., Kalamazoo, Kalamazoo County, staff observed RACM in the form of TSI on three duct registers.	40 CFR 61.145 (c)(1)	Failure to remove RACM.

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by February 22, 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](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 violation cited above and for the cooperation that was extended to me during our phone conversation. If you have any questions regarding this 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, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Mary Douglas, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Karen Kajiya-Mills, DEQ