



GRETCHEN WHITMER
GOVERNOR

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

LANSING

LIESL EICHLER CLARK
DIRECTOR



August 6, 2021

UPS NEXT DAY DELIVERY

Mr. Roger Iveson
City of Kalamazoo
245 North Rose Street
Suite 100
Kalamazoo, Michigan 49001

Mr. Dave Van Buren
Ace Excavating & Gravel, Inc.
3311 Redmond Avenue
Kalamazoo, Michigan 49001

SRN/ID: U392101976; Kalamazoo County

Dear Mr. Iveson and Mr. Van Buren:

VIOLATION NOTICE

On August 2, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division, performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 207 Wall Street, Kalamazoo, Kalamazoo 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, the City of Kalamazoo owns the subject property and Ace Excavating & Gravel, Inc., performed the abatement 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 a notification in for the abatement of duct insulation, plaster, window glaze and drywall wall board system. However, during our inspection of the property prior to demolition, several pieces of plaster were observed attached to the lath and plaster debris was observed throughout the home. Thermal Systems Insulation (TSI) in the form of duct insulation was also noted on the bathroom duct boot.

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Process Description	Section Violated	Comments
On 8/2/21, staff performed a pre Scheduled Demolition inspection at 207 Wall Street, Kalamazoo. During the inspection, staff observed plaster debris on the ground and in the remaining lath. An insulated duct boot was also identified in the bathroom.	40 CFR 61.145 (c)(1)	Failure to remove all RACM.
	40 CFR 61.145 (c)(4)	Failure to contain in leak-tight wrapping.
	40 CFR 61.145 (c)(6)(i)	Failure to adequately wet the material and ensure it remains wet until collected and contained.

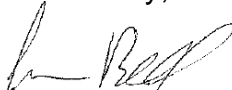
Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by August 27, 2021, (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations, 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 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.

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 violations cited above and for the cooperation that was extended to me during our phone and email 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, 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. Rex Lane, EGLE
Mr. Jason Wolf, EGLE