



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

LANSING

May 20, 2021

UPS NEXT DAY DELIVERY

Mr. Steve Jennings
7200 West Grand Blanc Road
Swartz Creek, Michigan 48473

Chief David Ballard Jr.
Venice Township Fire Department
960 South New Lothrop Road
Lennon, Michigan 48449

SRN/ID: U782101581; Shiawassee County

Dear Mr. Jennings and Chief Ballard:

VIOLATION NOTICE

On May 18, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection at 10188 Wilkenson Road, Lennon, Shiawassee 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, Mr. Jennings is the owner of the facility and the Venice Township Fire Department performed the Intentional Burn activities. 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 former residential structure had been intentionally burned and remnant building debris remained along with asbestos containing siding material. The Federal asbestos NESHAP dictates that; if a facility is demolished by intentional burning, all Regulated Asbestos Containing Material including Category I and Category II nonfriable ACM must be removed in accordance with the NESHAP before burning. Mr. Jennings and the Venice Township Fire Department failed to have a thorough survey done on the property and failed to remove all asbestos containing materials prior to the intentional burn activities.

Process Description	Section Violated	Comments
On May 18, 2021, EGLE-AQD staff performed an inspection on the subject facility located at 10188 Wilkenson Rd., Lennon. The facility was intentionally burned without a thorough asbestos survey and removal of all asbestos containing materials.	40 CFR §61.145(a) 40 CFR §61.145(c)(10)	Failure to thoroughly inspect. Failure to remove all asbestos containing materials.

VIOLATION NOTICE

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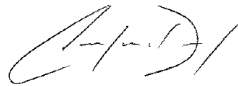
May 20, 2021

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by June 10, 2021 (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) 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 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 violations cited above. 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
Mr. Brad Myott, EGLE
Ms. Karen Kajiya-Mills, EGLE
Mr. Jason Wolf, EGLE