



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREETHER
DIRECTOR

October 16, 2018

Ms. Liliane Mason
City of Battle Creek
10 North Division Street
Battle Creek, Michigan 49017

Mr. Mark Bolle
Bolle Contracting, LLC
408 East Fourth Street
Clare, Michigan 48617

SRN / ID: U131803041; Calhoun County

Dear Ms. Mason and Mr. Bolle:

VIOLATION NOTICE

On October 4, 2018, the Department of Environmental Quality (DEQ), Air Quality Division, attempted to perform an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) planned renovation inspection at 32 Frisbie Avenue, Battle Creek, Calhoun 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 (Act 451).

According to my investigation, the City of Battle Creek owns the subject facility and Bolle Contracting, LLC, is the contractor who performed the planned renovation 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:

Demolition activities had taken place on the subject facility and the contractor was on-site loading-out demolition building debris for disposal. A planned renovation inspection was not performed because the building had already been demolished. The contractor failed to update their Planned Renovation notification (Document #0000190315), which had a project schedule end date of October 4, 2018, at 7:00 p.m.

Process Description	Section Violated	Comments
On 10/4/18, staff arrived on-site at 12:05 p.m. to perform a planned renovation inspection on the subject facility located at 32 Frisbie Ave., Battle Creek. Upon arrival, the structure was demolished. Therefore, no planned renovation inspection could be performed.	40 CFR 61.145 (b)(2)	Failure to update the 10-working day Notification of Intent to Renovate/Demolish

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Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by November 6, 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.

Please submit the signed written response to Mr. Craig Dechy at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scan and email as an attachment to me at Dechyc@michigan.gov and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or CamilleriJ@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 my site inspection. 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 517-749-2891; 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. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Mary Douglas, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ