



STATE OF MICHIGAN
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 LANSING



GRETCHEN WHITMER
 GOVERNOR

LIESL EICHLER CLARK
 DIRECTOR

March 11, 2019

Mr. Bob McNutt
 City of Kalamazoo
 415 East Stockbridge Avenue
 Kalamazoo, Michigan 49001

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

SRN/ID: U391810820; Kalamazoo County

Dear Mr. McNutt and Mr. Bolle:

VIOLATION NOTICE

On February 25, 2019, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 718 Staples Avenue, Kalamazoo, in 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 (Act 451).

According to our investigation, the City of Kalamazoo owns the subject facility and Bolle Contracting, LLC, performed the abatement activities. The National Emission Standard for Asbestos holds both the owner and/or operator equally liable for any violations.

During the inspection, AQD staff observed the following:

Thermal System Insulation (TSI) in the form of duct paper insulation was noted on the floor and in a section of wall where the duct work was removed. Additionally, TSI was observed on a duct boot in the basement. According to the planned renovation notification's project schedule, the asbestos removal was completed on January 21, 2019. The contractor failed to completely abate the regulated asbestos-containing material from the facility.

Process Description	Section Violated	Comments
On February 25, 2019, staff performed a post planned renovation inspection at 718 Staples, Kalamazoo. Staff observed regulated asbestos-containing material in the form of TSI.	40 CFR 61.145 (c)(1)	Failure to remove regulated asbestos containing material.
	40 CFR 61.145 (c)(4)	Failure to contain in leak tight container.
	40 CFR 61.145 (c)(6)(i)	Failure to adequately wet.

Mr. Bob McNutt and Mr. Mark Bolle

Page 2

March 11, 2019

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by April 1, 2019 (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. 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. We require that you also submit a copy of your response to Ms. Jenine Camilleri, Enforcement Unit Supervisor, at the same mailing address or via email at 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 violations cited above. If you have any questions regarding this violation notification or the actions necessary to bring the facility into compliance, please 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: Mr. Aaron Keatley
Ms. Mary Ann Dolehanty, DEQ
Dr. Eduardo Olaguer, DEQ
Mr. Christopher Ethridge, DEQ
Mr. Rex Lane, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ