



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
DETROIT DISTRICT OFFICE

EGLE
LIESL EICHLER CLARK
DIRECTOR

May 6, 2022

Norman Ferguson
Norm Ferguson Excavating LLC
1086 Wilson Drive
Lapeer, MI 48446

James George
Manchester Clinton LLC
45511 Market Street
Shelby Township, MI 48315

SRN: U502202041, Macomb County

Dear Norman Ferguson and James George:

VIOLATION NOTICE

On April 21, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the commercial property located at 16200 19 Mile Road, Clinton Township. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (CFR), Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAP), Subpart M and Rule 942 of the administrative rules promulgated under Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to our investigation, Manchester Clinton LLC owns the property and Norm Ferguson Excavating LLC performed the demolition activities. The NESHAP for Asbestos holds both the owner and operators equally liable for violations.

During the inspection, staff observed the following: A vacant commercial property with nine of the original twelve buildings demolished except for the footings, foundations and basements. A 10-day notification of intent was not submitted prior to demolition of the structures. According to the demolition contractor, demolition has been on-going since December of 2021. A notification was filed retroactively by Norm Ferguson Excavating LLC on April 26, 2022. The remaining three buildings were under contract to be demolished by a separate demolition contractor.

Process Description	Section Violated	Comments
Demolition of commercial structures without a Notification of Intent to Demolish.	40 CFR 61.145(b)(1)	Failure to provide 10 working day notification prior to demolition.

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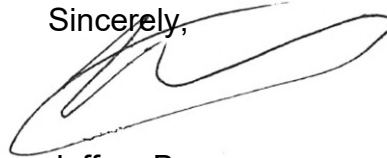
Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by May 27, 2022 (which coincides with 21 calendar days from the date of this letter). The response should include: the dates the violation occurred; an explanation of the causes 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 written response to Jeff Benya at EGLE, AQD 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or benyaj@michigan.gov and submit a copy to Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or wolfj2@michigan.gov.

If either party believes the above observations or statements are inaccurate or do not constitute violations of the applicable legal requirements cited, please provide 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 my inspection of the listed property. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Jeffrey Benya
Environmental Quality Analyst
Air Quality Division
313-618-0372

Enclosure: NESHAP Fact Sheet
cc: Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Jenine Camilleri, EGLE
Christopher Ethridge, EGLE
Tammy Bell, EGLE
Jason Wolf, EGLE
Joyce Zhu, EGLE