



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

March 21, 2024

VIA E-MAIL

Dalen Hanna
Audrey Luxury Lofts
33717 Woodward Avenue
Suite 560
Birmingham, Michigan 48009-0913

Dalen Hanna
Loft Holding, LLC c/o Blackacre
Management, LLC
24681 Northwestern Highway
Suite 4000
Southfield, Michigan 48075

SRN: U632401405; Oakland County

Dear Dalen Hanna:

VIOLATION NOTICE

On February 26 and 27, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted a complaint investigation at the commercial building located at 28 North Saginaw, Pontiac. The purpose of this inspection was to determine the Owner's and Operator's compliance with the requirements of Title 40 of the Code of Federal Regulations (40 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, the Audrey Luxury Lofts is the owner of the facility. The name and contact information of the contractor performing renovation activities was identified in the demolition permit issued by the City of Pontiac as Loft Holding, LLC c/o Blackacre Management, LLC. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the complaint investigation on February 26 and 27, 2024, EGLE, AQD staff observed renovation activities at the site. EGLE, AQD staff collected samples at the site during the inspection; asbestos pipe insulation and floor tile were noted inside of the building. The following violation was noted:

Process Description	Section Violated	Comments
Renovation of a commercial building located at 28 N. Saginaw St. in Pontiac MI.	40 CFR 61.145(a)	Failure to thoroughly inspect building materials at the affected facility or part of the affected facility where the demolition or renovation operation will occur for the presence of asbestos

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Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by April 12, 2024. 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 provide a copy of the asbestos survey conducted after February 27, 2024, inspection as part of your response.

The signed written response from the owner and operator to this violation notice may be submitted by mail and directed to the attention of Jeremy Howe, Supervisor, Technical Programs Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 and must include a copy to Jason Wolf, Enforcement Unit at the same address. The response may be scanned and e-mailed to HoweJ1@Michigan.gov and WolfJ2@Michigan.gov.

If Audrey Luxury Lofts and/or Loft Holding, LLC c/o Blackacre Management, LLC 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 violation cited above and for the cooperation that was extended to EGLE, AQD during my inspection of 28 North Saginaw, Pontiac. 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,



Tammy Bell
Environmental Quality Specialist
Air Quality Division
313-330-0105

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jeremy Howe, EGLE
Joyce Zhu, EGLE
Jenine Camilleri, EGLE
Jason Wolf, EGLE