



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



KEITH CREAGH
DIRECTOR

June 28, 2016

Mr and Mrs Tony Konja
Bianka Investments, LLC
4450 Cherry Hill
Orchard Lake, MI 48323

Mr. Salem Jiddou
SJ Design and Construction, LLC
25855 Lahser Road
Southfield, MI 48033

Mr. Al Saylor
A. L. Saylor Excavating/Demolition
P.O. Box 320
Birmingham, MI 48012-0320

SRN: U821606712, Wayne County

Dear Ms. Konja and Messrs. Konja, Jiddou and Saylor:

VIOLATION NOTICE

On May 24-27, and May 31, 2016 the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of the commercial site located at 16400 East Warren, Detroit. The purpose of this inspection was to determine Bianka Investments, LLC's, SJ Design and Construction, LLC's and A.L Saylor Excavating/Demolition's 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.

According to our investigation, Bianka Investments, LLC owns the facility and SJ Design and Construction LLC and A. L. Saylor Excavating/Demolition performed the demolition activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, DEQ AQD staff observed that the facility had been demolished without the required thorough asbestos inspection and 10 day notification to the DEQ. Pipe insulation, a friable regulated asbestos containing material (RACM), was found mixed in the demolition debris and the sidewalk and alley. The debris was not adequately wet, and visible emissions were observed going off site. The contractors were advised to stop work, but continued to disturb materials at the site. The debris was enclosed with plastic on May 27, 2016 but the debris was not removed from the site until June 8, 2016.

| Process Description | Section Violated | Comments |
|---|---------------------|---|
| Demolition of the commercial structure located at 16400 East Warren, Detroit. | 40 CFR 61.145(a)(1) | Failure to thoroughly inspect for asbestos. |
| | 40 CFR 61.145(b)(1) | Failure to provide 10 working day notification prior to demolition. |

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| | 40 CFR 61.145(b)(4)(vi) | Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM). |
| | 40 CFR 61.145(c)(1) | Failure to remove RACM prior to demolition. |
| | 40 CFR 61.145(c)(4) | Failure to contain RACM in leak tight container. |
| | 40 CFR 61.145(c)(6)(i) | Failure to wet RACM |
| | 40 CFR 61.145 (c)(8) | No contractor supervisor on site |
| | 40 CFR 61.145(c)(9) | Failure to wet RACM during demolition. |
| | 40 CFR 61.150(a) | Visible emissions from asbestos containing waste material generated by source. |
| | 40 CFR 61.150(b)(1) | Failure to deposit asbestos containing waste material as soon as practical. |

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by July 19, 2016 (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 note that all parties should submit a response to this violation notice.

If Bianka Investments LLC, SJ Design and Construction LLC, and/or A. L. Saylor Excavating and Demolition believes the above observations or statements are inaccurate or do not constitute violations 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 and for the cooperation that was extended to me during my inspection of 16400 East Warren Road, Detroit. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Joseph Goeddeke
Environmental Quality Analyst
Air Quality Division
517-331-7906

Ms. Konja
Messrs. Konja, Jiddou and Saylor
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cc: Ms. LaReina Wheeler, City of Detroit BSEED
cc via email: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Ms. Heidi Hollenbach, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Wilhemina McLemore, DEQ