



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

October 27, 2022

Peter D'Agostino  
PD Services LLC  
PO Box 4031  
Copley, OH 44321

Kenneth Williams  
Choice Schools Associates LLC  
24218 Garner  
Southfield, MI 48033

SRN: U822101968, Wayne County

Dear Peter D'Agostino and Kenneth Williams:

### **VIOLATION NOTICE**

On October 4, 7 and 12, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the vacant commercial property located at 2251 Outer Drive, Detroit. 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, Choice Schools Associates LLC (Choice Schools) owns the facility and PD Services LLC (PD Services) performed the renovation activities at the facility. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, staff observed the following:  
A commercial building slated for demolition. The EGLE inspection identified several suspect regulated asbestos containing materials (RACM) remaining within the building after the notified abatement project had ended and just prior to scheduled demolition (see attached listing). EGLE staff collected several samples that tested positive for asbestos, including thermal system insulation, duct insulation, floor tile and transite siding. Several of these materials were not identified on the asbestos survey conducted by PD Services. RACM that had been stripped, specifically aircell pipe insulation and duct insulation, remained in the building and were in a dry state. Approximately thirty unsealed and unlabeled bags of ACM floor tile remained in the basement. Material within the bags was in a dry state.

Process Description	Section Violated	Comments
Subject commercial demolition where quantities of RACM remained within the building after completed abatement by a licensed asbestos abatement contractor.	40 CFR 61.145(a)(1)	Failure to thoroughly inspect for the presence of Regulated Asbestos Containing Material (RACM) - all suspected ACM were not identified or sampled throughout the building.
	40 CFR 61.145(c)(1)	Failure to remove RACM - RACM was identified that was missed in the asbestos survey, and RACM debris (or ACWM) from abatement was found throughout the building
	40 CFR 61.145(c)(4)	Failure to contain in leak tight containers - ACWM was found on the ground after abatement during the inspection.
	40 CFR 61.145(c)(6)(i)	Failure to wet RACM that has been stripped - RACM was found that was not adequately wet.
	40 CFR 61.150(b)(1)	Failure to deposit asbestos containing waste material as soon as practical - ACWM was found in bags in the basement and had been on site since approximately 7/2/22.

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by November 17, 2022 (which coincides with 21 calendar days from the date of this letter). The 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 written response to Jeffrey Benya at EGLE, AQD, 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or [benyaj@michigan.gov](mailto:benyaj@michigan.gov) and submit a

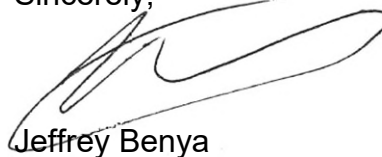
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copy to Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing,  
Michigan 48909-7760 or wolfj2@michigan.gov.

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. 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,



Jeffrey Benya  
Senior Environmental Quality Analyst  
Air Quality Division

Enclosures: Understanding NESHAP fact sheet, Bulk sample results, List of suspect or verified remaining ACM

cc: Hosam Hassanien, City of Detroit BSEED  
Crystal Rogers, City of Detroit BSEED  
Mary Ann Dolehanty, EGLE  
Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Jenine Camilleri, EGLE  
Jason Wolf, EGLE  
Jeremy Brown, EGLE  
Dr. April Wendling, EGLE