



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

July 27, 2023

LaJuan Counts
Detroit Demolition Department
1301 Third Avenue, 6th Floor
Detroit, MI 48226

Tammy Daniels
Detroit Land Bank Authority
500 Griswold Street, Suite 200
Detroit, MI 48226

Robert Delicata
RDC Construction Services, LLC
220 Congress
Detroit, MI 48226

SRN: U822302972, Wayne County

Dear LaJuan Counts, Tammy Daniels and Robert Delicata:

VIOLATION NOTICE

On July 19, 2023, the Department of Environment, Great Lakes and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the residential property located at 2249 Fairview, Detroit. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations, 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 Detroit Land Bank Authority owns the property. The Detroit Demolition Department manages the City of Detroit's demolition program. RDC Construction Services, LLC demolished the building. The National Emission Standard for Asbestos holds the owner and operators liable for violations.

An inspection was conducted by the AQD on July 19, 2023. The house had been demolished. The basement had not yet been removed. Dry asbestos-containing waste material (ACWM), which included, but was not limited to, cementitious siding, was noted around the property and in the basement.

A follow-up inspection was conducted on July 26, 2023. Dry, friable transite was found on site. The following violations were noted:

Process Description	Section Violated	Comments
Demolition of 2249 Fairview, Detroit. Asbestos containing materials, including Category II cementitious siding, were not removed from the building prior to demolition due to structural issues.	40 CFR 61.150(a)(1); AQD Consent Judgement No. 18-862, Section 5.1 (i); AQD Consent Order 2022-19.	Failure to adequately wet ACWM.
	40 CFR 61.150(b)(1); AQD Consent Judgement No. 18-862, Section 5.1 (m); AQD Consent Order 2022-19	Failure to dispose of ACWM as soon as practical.

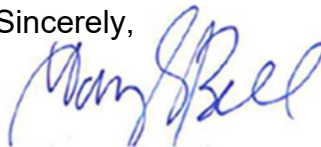
Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by August 17, 2023 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the 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 written response to Tammy Bell at EGLE, AQD Detroit District Office, 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or bellt4@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 RDC Construction Services, LLC, the Detroit Land Bank Authority, and/or the Detroit Demolition Department 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 2249 Fairview, 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,



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

LaJuan Counts, Detroit Demolition Department
Tammy Daniels, Detroit Land Bank Authority
Robert Delicata, RDC Construction Services, LLC
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Enclosures: Sample results

cc: Mark Baron, City of Detroit BSEED
Crystal Gilbert-Rogers, City of Detroit BSEED
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Jeremy Howe, EGLE
Dr, April Wendling, EGLE
Jason Wolf, EGLE