



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

February 23, 2024

VIA E-MAIL

LaJuan Counts
Director
City of Detroit Construction and Demolition Department
1301 Third Avenue, 6th Floor
Detroit, Michigan 48226

SRN: U822303929; Wayne County

Dear LaJuan Counts:

VIOLATION NOTICE

On February 8, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection of a former location of a subject commercial building located at 12155 Grand River Avenue, Detroit, Wayne County, Michigan.

The purpose of this inspection was to determine 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 Detroit Buildings, Safety Engineering and Environmental Department ordered the demolition and Detroit Construction and Demolition Department oversaw the contract, bidding and follow-thru of the demolition. Gayanga Company. was contracted by the City of Detroit to demolish the commercial building as an "emergency alteration." Gayanga Company's scope of work did not include removal of slabs/substructures at the time the building was demolished.

On August 29, 2023, a violation notice was issued to the Detroit Demolition Department for failing to remove asbestos containing waste material (ACWM) from the site. EGLE, AQD provided the City of Detroit additional time to respond to the August 29, 2023 violation letter in order to seek regulatory guidance from the United States Environmental Protection Agency (USEPA) regarding ordered demolitions. A letter was sent by the City of Detroit to the USEPA Region 5 on January 12, 2024, and is pending a return response.

On February 8, 2024, EGLE, AQD revisited the site. The fencing that was surrounding the site during the July 28, 2023 inspection was removed which allowed for a more in-depth inspection of the site. The ACWM concrete slab with Category II non-friable floor tile on it was still in place and dry. Upon closer inspection and field testing, it was determined that the floor tile was in friable condition. The floor tile was also observed on the soil surrounding the ACWM concrete slab and this was also in friable condition. A sample of the floor tile was collected, and the lab determined that it was positive for asbestos. After a point count was conducted, the final lab results were 4.5 percent Chrysotile asbestos.

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Process Description	Section Violated	Comments
Ordered demolition of the commercial building at 12155 Grand River Ave, Detroit	40 CFR 61.150(a)(3); Consent Judgment 18-862 Section 5.2	Failure to adequately wet ACWM at all times after demolition.
	40 CFR 61.150(b); Consent Judgment 18-862 Section 5.2	Failure to deposit ACWM as soon as practical.

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by March 8, 2024. 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 have your contractor submit a notice of intent to renovate/demolish prior to removal of ACWM and provide copies of waste shipment records upon completion of removal.

The signed written response to this violation notice may be submitted by mail and directed to the attention of Jeremy Howe, Supervisor, Technical Programs Unit at EGLE, AQD, 525 West Allegan Street, Lansing, Michigan 48933 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 the City of Detroit Construction and Demolition Department 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. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact Jeremy Howe, Supervisor, Technical Programs Unit, at 231-878-6687.

Sincerely,



Jeremy Howe
Supervisor, Technical Programs Unit
Air Quality Division
231-878-6687

cc: Ron Crawford, City of Detroit Construction and Demolition Department
Mark Baron, City of Detroit BSEED
Crystal Rogers-Gilbert, City of Detroit BSEED
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Dr. April Wendling, EGLE
Jason Wolf, EGLE