



August 16, 2023

VIA E-MAIL AND U.S. MAIL

Jeffrey Benya  
Air Quality Division  
Michigan Department of Environment, Great Lakes and Energy  
3058 West Grand Boulevard, Suite 2-300  
Detroit, MI 48202-6058  
[benyaj@michigan.gov](mailto:benyaj@michigan.gov)

Re: Notice of Violation, 19129 Teppert, Detroit, Michigan

Dear Mr. Benya:

This letter is in response to the violation notice (Notice) which the Detroit Land Bank Authority (the DLBA) received from your office dated July 21, 2023, regarding the property located at 19129 Teppert, Detroit, Michigan (Property). The Property is currently owned by the DLBA, and we understand that the DLBA's status as owner led to its receipt of the Notice. The Detroit Demolition Department oversees the demolition of properties owned by the DLBA, and we understand that the demolition contractor engaged by the City for the Property was Gayanga Company LLC (Gayanga) which was also a recipient of the Notice. This response is being submitted on behalf of the DLBA. The DLBA takes these allegations seriously and is committed to participating in their prompt resolution.

The Notice alleges that on July 11, 2023, EGLE conducted an inspection of the Property and identified a debris pile from demolition that had reportedly occurred on or about June 23, 2023, under an emergency order. Although partially covered and taped, the debris pile was dry. The Notice alleged failure to adequately wet the asbestos-containing waste and failure to dispose of the waste as soon as practical.

Documents filed with EGLE prior to the demolition indicate that asbestos was assumed or identified to be present at the Property. The Notice did not specifically identify asbestos in the materials observed at the Property during the inspections. However, the Notice stated that all

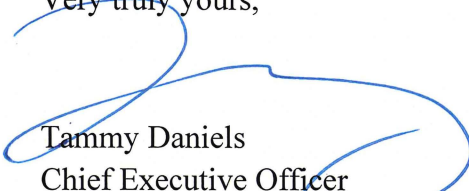
debris from emergency or ordered demolitions is to be treated as asbestos containing. Gayanga is a licensed demolition contractor. Therefore, it is the DLBA's expectation that Gayanga would manage its demolition activities in accordance with applicable laws, including the Asbestos NESHAPs. To the extent that a violation may have occurred, it was the result of the failure of the demolition contractor to follow the requirements of the state and federal asbestos NESHAP and the City's Scope of Services for demolition contractors.

In response to the Notice, and to prevent a recurrence of the alleged violations, the City issued a Health and Safety Violation Notice to Gayanga on August 1, 2023, under the Demolition Department Discipline Policy. See the Health & Safety Violation Notice, attached. To further prevent recurrence of the alleged violations, the City has confirmed it will also reemphasize the NESHAP requirements during its weekly demolition contractor meetings.

In response to the Health & Safety Violation Notice, Gayanga stated that it was unable to complete load out due to a trucking shortage and that its policy had been to return to a site where debris may be present prior to load out twice daily to wet the debris and adjust the cover, as appropriate. See the attached correspondence. To prevent further recurrence, Gayanga indicated that it was implementing a new policy to confirm that load out occurs on the same day as demolition for any emergency demolitions.

We appreciate this Notice, as it assists the DLBA in working with the City to assess and address these alleged violations and take steps to prevent any such occurrence. As you know, addressing blight within the City has been a significant undertaking and mission for the DLBA. We appreciate your assistance in this endeavor and look forward to continuing our relationship with EGLE to complete this important work. Please let us know if you have any further questions with respect to this matter.

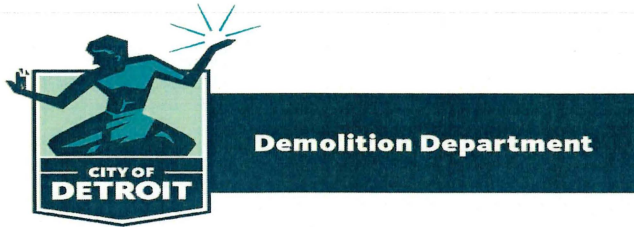
Very truly yours,



Tammy Daniels  
Chief Executive Officer  
Detroit Land Bank Authority

Encls.

Cc: Jason Wolf, EGLE  
[wolfj2@michigan.gov](mailto:wolfj2@michigan.gov)



**1301 Third Street, Suite 606**  
**Detroit, Michigan 48226**  
**(313) 224-4737**  
[Demo-info@detroitmi.gov](mailto:Demo-info@detroitmi.gov)  
[www.detroitmi.gov/demolition](http://www.detroitmi.gov/demolition)

August 1, 2023

Gayanga Company LLC  
1120 W. Baltimore St.  
Detroit, MI 48202

**RE: Citation-EGLE Health and Safety Violation-19129 Teppert**

Mr. Brian McKinney,

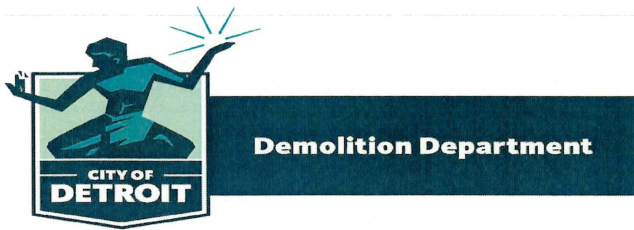
Please be advised the Detroit Demolition Department received an EGLE Violation Notice dated July 21, 2023 that was issued to Gayanga Company LLC (“Gayanga”).

The EGLE Violation Notice specified the following:

- On July 11, 2023, the Department of Environment, Great Lakes and Energy (EGLE), Air Quality Division (AQD), conducted an inspection at a property located at 19129 Teppert, Detroit. During the inspection, staff observed the following: A debris pile from a subject demolition activity. According to available documentation, the building was demolished on or about June 23, 2023 under an emergency order from the City of Detroit. Debris was partially covered in poly sheeting and partially regulated with banner tape. The debris material was dry at the time of inspection.
- The following violations were noted:
  - Failure to adequately wet ACWM.
  - Failure to dispose of ACWM as soon as practical.

The receipt of EGLE violation notices is a violation of the Detroit Demolition Department Discipline Policy, Group III Offenses and the Demolition Department Program, Scope of Services, Section II, paragraph N, for residential structures. Therefore, Gayanga is being issued a Health and Safety Violation under the aforementioned policies.

Within seven (7) calendar days of transmittal, Gayanga may appeal this Health and Safety Violation by providing proof contrary to the violation by emailing, [crawfordro@detroitmi.gov](mailto:crawfordro@detroitmi.gov). If you choose not to appeal this violation, notify us in writing that Gayanga accepts responsibility for this citation.



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Please initiate actions necessary to correct the cited violation and submit a written response to the Detroit Demolition Department and EGLE by August 12, 2023. The written response should include: the date of the violation, an explanation of the causes and duration of the violation, whether the violation is on-going, a summary of the actions that have been taken to correct the violations, the date(s) by which these actions will be completed and steps that you are taking to prevent a reoccurrence.

If you have any questions, please email Ron Crawford at: [crawfordro@detroitmi.gov](mailto:crawfordro@detroitmi.gov).

Sincerely,

*Nicole Hardaway-Johnson*

Nicole Hardaway-Johnson  
Assistant Director, Contract Compliance  
Detroit Demolition Department  
[johnsonni@detroitmi.gov](mailto:johnsonni@detroitmi.gov)

Re: [EXTERNAL] Intent to Appeal - EGLE Health & Safety Violation-Gayanga-19129  
Teppert

Ron Crawford <crawfordro@detroitmi.gov>

Tue 8/8/2023 4:53 PM

To: Brian McKinney <lacresha@gayangaco.com>

Cc: Nicole Hardaway-Johnson <JohnsonNi@detroitmi.gov>

Ms. LaCresha Ware,

Your request for an appeal for the above violation has been received.

On September 7, 2023, a Detroit Construction and Demolition Department (DCDD) Appeals Board panel will review your request. This is an internal meeting so your presence is not required. We will send you the outcome of that meeting on the same date.

If you have additional documents for us to review, please email to us by Friday, September 1, 2023. This would include any documentation that shows that you requested an adjustment to the demo schedule for this property.

Always the Best,

Ron Crawford  
Compliance and Program Analyst  
Detroit Demolition Department  
313-224-1861  
crawfordro@detroitmi.gov

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**From:** LaCresha Ware <lacresha@gayangaco.com>

**Sent:** Tuesday, August 8, 2023 4:38 PM

**To:** Ron Crawford <crawfordro@detroitmi.gov>

**Subject:** [EXTERNAL] Intent to Appeal - EGLE Health & Safety Violation-Gayanga-19129 Teppert

Mr Crawford,

We are in receipt of the Violation Notification Dated August 1, 2023.

While the material was found to have been dry at the time of inspection, it is important to note that we are in the summer months. It is our internal policy to wet debris that is still on the ground and not loaded out. We do this daily along with checking the poly covering and the fencing. In summary, on a daily basis, we wet any debris still on the ground, readjust the poly and repair the fencing if necessary. This is typically done first thing in the morning and at the end of each day.

As far as the noted violation: "Failure to dispose of ACWM as soon as practical." - we had already notified the city in regards to a schedule delay due to the loss of an operator and city wide trucking shortages. We made the city aware of this as soon as we knew it would impact our schedule and came up with a plan to rectify the situation and get back on track within an acceptable timeframe which was as soon as we practically could. In light of this we have also implemented a new

policy where with ordered demolition structures, we knock and load out the same day to do our best to alleviate situations like this occurring in the future.

It is our intent to respond as such to the EGLE violation no later than August 12, 2023.

It is our hope that you understand we take our job and health and safety seriously and we will continue to do so. We look forward to a continued great working relationship and servicing the city for many years to come.

**LaCresha Ware**  
VP & Director of Engineering & Estimating

[1120 W Baltimore St. Ste 200 Detroit, MI 48202](#)

o: (313) 230-4930 | c: (313) 727-1080 | w: [www.gayangaco.com](http://www.gayangaco.com)