



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

October 21, 2020

Mr. John Iafrate
Strata Underground, LLC
35443 Cordelia St.
Clinton Township, MI 48035

Mr. Thomas Guastello
Shelby Town Center I, LLC
34120 Woodward Ave.
Birmingham, MI 48009

SRN: U502002577, Macomb County

Dear Mr. Iafrate and Mr. Guastello:

VIOLATION NOTICE

On September 16, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the former Don Pablo's restaurant located at 14181 Hall Road, Shelby Township, MI. The purpose of this inspection was to determine Strata Underground, LLC's and Shelby Town Center I, LLC's 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, Shelby Town Center I, LLC owns the facility and Strata Underground, LLC performed the demolition activities at the facility. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, AQD observed that the building had been demolished and new construction had begun on the property.

Process Description	Section Violated	Comments
Demolition of an asbestos NESHAP subject facility.	40 CFR 61.145(b)(1)	Failure to provide 10 working day notification to the AQD prior to demolition.

Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by November 11, 2020 (which coincides with 21 calendar days from the date of this letter). The response should include: the dates the

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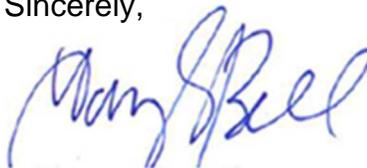
violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the written response to Ms. Tammy Bell at EGLE, AQD 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or bellt4@michigan.gov and submit a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or wolfj2@michigan.gov.

If Strata Underground, LLC. and/or Shelby Town Center I, LLC 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 of 14181 Hall Road, Shelby Twp. 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
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosure: Fact Sheet

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Karen Kajiya-Mills, EGLE
Mr. Jason Wolf, EGLE
Ms. Joyce Zhu, EGLE