



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

April 20, 2022

Jon Burtraw  
City Abatement Services, LLC  
10301 Joy Road  
Detroit, MI 48204

LaJuan Counts  
Detroit Demolition Program  
1301 Third Avenue, 6th floor  
Detroit, MI 48226

Tammy Daniels  
The Detroit Land Bank Authority  
500 Griswold Street, Suite 1200  
Detroit, MI 48226

SRN: U502201622, Macomb County

Dear Jon Burtraw, LaJuan Counts and Tammy Daniels:

### **VIOLATION NOTICE**

On March 29, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted a complaint inspection at the commercial property located at 24808 Thomas Street, Warren. 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, City Abatement Services LLC is leasing the facility where asbestos waste was being stored and performed the abatement activities that generated the waste. During the inspection, it was determined that the waste was generated as a result of the removal of regulated asbestos containing materials (RACM) from properties in the City of Detroit's demolition program. A list of the properties is attached. The NESHAP for Asbestos holds both the owner and operators equally liable for violations.

During the inspection, AQD staff, Jeff Benya and Joe Goeddeke observed the following: Large amounts of improperly stored asbestos containing waste (ACWM) in the equipment yard of a licensed asbestos abatement contractor. Approximately 240 cubic yards of ACWM was present at the time of inspection. A majority of the waste containers were not properly labeled (no generator labels and/or asbestos labeling) and

many containers were ripped, punctured or otherwise improperly sealed. Waste within inspected containers was dry. Suspect ACWM was observed free, loose and dry on the ground within the storage areas of the yard. Sampling conducted by EGLE staff confirmed asbestos containing material within the waste.

Process Description	Section Violated	Comments
Complaint inspection conducted by AQD due to concerns regarding asbestos containing waste material at the site.	40 CFR 61.145(c)(4) Consent Judgement No. 18-862, Section 5.1(k)	Failure to contain ACWM in leak tight containers.
	40 CFR 61.150(a)(1)(v) Consent Judgement No. 18-862, Section 5.1(l)	No generator labels.
	40 CFR 61.150(b)(1) Consent Judgement No. 18-862, Section 5.1(m)	Failure to deposit asbestos containing waste material as soon as practical.
	40 CFR 61.150(a)(1)(i) Consent Judgement No. 18-862, Section 5.1(i)	Failure to adequately wet ACWM.

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by May 11, 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 Jeff 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 copy to Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or [wolfj2@michigan.gov](mailto: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.

Jon Burtraw, City Abatement Services, LLC  
LaJuan Counts, Detroit Demolition Department  
Tammy Daniels, The Detroit Land Bank Authority  
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Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my inspection of the listed property. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Benya", written over a white background.

Jeff Benya  
Environmental Quality Analyst  
Air Quality Division  
313-618-0372

Enclosures: Bulk sample results, Property inventory

cc: Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Jenine Camilleri, EGLE  
Christopher Ethridge, EGLE  
Tammy Bell, EGLE  
Jason Wolf, EGLE  
Joyce Zhu, EGLE