



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
AIR QUALITY DIVISION



PHILLIP D. ROOS
DIRECTOR

December 20, 2024

VIA E-MAIL

Kevon Ventimiglia
Oakes Roofing, Siding & Windows, Inc.
725 South Adams
Suite 290
Birmingham, Michigan 48009

Mark Thomas
22 State Street
Pontiac, Michigan 48341

SRN: U632407031, Oakland County

Dear Kevon Ventimiglia and Mark Thomas:

VIOLATION NOTICE

On December 9, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted a complaint inspection at the property located at 44 State Street, Pontiac, Oakland County. 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, Subpart M (National Emission Standard for Asbestos), and Rule 942 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to our investigation, Mark Thomas owns the property and agents of Oakes Roofing, Siding & Windows, Inc. (Oakes) conducted the renovation activities. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, AQD staff noted an active roof replacement underway. AQD staff identified suspect ACM shingles and underlayment within the debris on the ground. Both materials later tested positive for asbestos after AQD sampling. Material had been rendered friable by removal operations. The bulk of the material had been removed from the site prior to the AQD inspection.

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Process Description	Section Violated	Comments
Asbestos abatement activities at a subject commercial building.	40 CFR 61. 145 (a)	Failure to thoroughly inspect for asbestos prior to renovation activities.
	40 CFR 61.145(b)(1)	Failure to provide 10 working day notification prior to subject renovation activities.
	40 CFR 61.145(c)(6)(i)	Failure to wet RACM that has been stripped.
	40 CFR 61.145(c)(8)	No contractor supervisor on site.
	40 CFR 61.145(c)(4)	Failure to contain in leak tight container.
	40 CFR 61.150(a)(1)(v)	No generator labels.

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by January 10, 2025 (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.
- What steps are being taken to prevent a reoccurrence.
- Acknowledgement of receipt, and understanding of, the attached "Understanding NESHAP" fact sheet.

The signed written response from the owner and operator to this violation notice may be submitted by mail and directed to the attention of Jeff Benya, Asbestos Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 and must include a copy to Jason Wolf, Enforcement Unit at the same address. The response may be scanned and e-mailed to BenyaJ@Michigan.gov and WolfJ2@michigan.gov.

If the listed parties believe 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.

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Thank you for your attention to resolving the violations cited. If you have any questions regarding the violation(s) 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 'J Benya', with a long horizontal stroke extending to the right.

Jeffrey Benya
Senior Environmental Quality Analyst
Air Quality Division
313-618-0372

Attachments: Sample Results
The NESHAP Fact Sheet

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Joyce Zhu, EGLE
Tammy Bell, EGLE
Jason Wolf, EGLE