



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

April 23, 2021

Mr. Dan Kress
Structure Demolition and Construction, Inc.
96 N. Gratiot Avenue
Mount Clemens, MI 48043

Mr. Spencer Yaklin
New Baltimore Baker Building, LLC
650 Broadway
Davisburg, MI 48350

SRN: U502100242, Macomb County

Dear Mr. Kress and Mr. Yaklin:

VIOLATION NOTICE

On February 10, March 9, and March 16, 2021 the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the commercial building located at 51005 Washington St, New Baltimore. The purpose of this inspection was to determine the owner’s and operator’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, New Baltimore Baker Building, LLC owns the facility and Structure Demolition and Construction, Inc. performed the renovation activities at the facility. The NESHAP for Asbestos holds both the owner and operator liable for violations.

During the inspection on February 10, 2021, AQD staff noted that the asbestos survey conducted for the facility noted the survey was limited in scope. Additional inspection and sampling had not been conducted prior to the building being renovated.

| Process Description | Section Violated | Comments |
|--|------------------|---|
| Renovation of the former Baker Building. | 40 CFR 61.145(a) | Failure to thoroughly inspect all portions of the facility undergoing renovation for the presence of asbestos, including Category I and Category II nonfriable ACM. |

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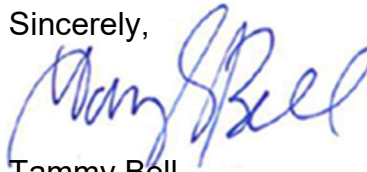
Both parties please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by May 14, 2021 (which coincides with 21 calendar days from the date of this letter). The response should include: the dates the violation occurred; an explanation 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 Structure Demolition and Construction, Inc. and/or New Baltimore Baker Building, 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 violation cited above and for the cooperation that was extended to me during my inspection of the facility. 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,



Tammy Bell
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosures: Asbestos NESHAP Fact Sheet & Sample Results

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