



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



C. HEIDI GREYER
DIRECTOR

May 8, 2018

Ms. Jane Bais-DiSessa
City of Pontiac
47450 Woodward Avenue
Pontiac, MI 48342

Mr. Chris Peyerck
Dan's Excavating, Inc.
12955 23 Mile Road
Shelby Township, MI 48315

SRN: U631802377, Oakland County

Dear Ms. Bais-DiSessa and Mr. Peyerck:

VIOLATION NOTICE

On March 14 and April 20, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) conducted an investigation of the demolition of the pedestrian bridge located at M59 between Telegraph and Woodward in Pontiac. The purpose of this investigation was to determine the City of Pontiac's and Dan's Excavating, Inc.'s compliance with the requirements of Title 40 of the Code of Federal Regulations, Part 61, National Emission Standards for Hazardous Air Pollutants, Subpart M, 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, the City of Pontiac owned the bridge and Dan's Excavating, Inc. performed the demolition activities at the bridge. The National Emission Standard for Asbestos holds both the owner and operator liable for violations.

DEQ AQD staff observed that the pedestrian bridge had been demolished without the required notification to the DEQ AQD.

Process Description	Section Violated	Comments
Demolition of a bridge	40 CFR 61.145(b)(3)(iii)	Failure to notify for demolition before, but no later than the next working day.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by May 29, 2018 (which coincides with 21 calendar days from the date of this letter). The written response should include:

Ms. Jane Bais-DiSessa
Mr. Chris Peyerk
Page 2
May 8, 2018

- A copy of the letter ordering the bridge to be demolished;
- A copy of the asbestos survey for the bridge;
- A completed notification for the bridge's demolition,
- The dates the violation occurred;
- An explanation of the causes and duration of the violation, and 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.

If the City of Pontiac and/or Dan's Excavating, Inc. believes 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.

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 pedestrian bridge. 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 S. Bell
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosure: 10-day notification (blank)
cc: Mr. Jon Belcher, MDOT
Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Mr. Malcolm Mead-O'Brien, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Joyce Zhu, DEQ