



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DETROIT



C. HEIDI GREYHER  
DIRECTOR

October 24, 2018

Mr. Kurt Bovensiep  
Public Works Director  
City of Troy Department of Public Works  
4693 Rochester Road  
Troy, Michigan 48085

SRN: U631809167, Oakland County

Dear Mr. Bovensiep:

**VIOLATION NOTICE**

On October 15, 2018, the Department of Environmental Quality (DEQ), Air Quality Division, conducted an inspection of the former Taco Bell located at 3385 Rochester Road, Troy. The purpose of this inspection was to determine the City of Troy'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, the City of Troy owns the facility and the City of Troy Department of Public Works 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 staff noted an asbestos survey had not been conducted prior to demolition, and the AQD had not been notified of the demolition.

Process Description	Section Violated	Comments
Demolition of a commercial facility located at 3385 Rochester Road, Troy.	40 CFR 61.145(a)	Failure to thoroughly inspect the facility for the presence of asbestos, including Category I and Category II nonfriable ACM prior to demolition.
	40 CFR 61.145(b)(1)	Failure to provide 10 working day notification prior to demolition.

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by November 14, 2018 (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

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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 Ms. Tammy Bell at DEQ, AQD 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or BellT4@michigan.gov and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or CamilleriJ@michigan.gov.

If the City of Troy 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 3385 Rochester Road, Troy. 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, DEQ  
Mr. Craig Fitzner, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Jenine Camilleri, DEQ  
Ms. Karen Kajiya-Mills, DEQ  
Ms. Wilhemina McLemore, DEQ  
Ms. Joyce Zhu, DEQ