



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

October 12, 2020

Mr. Jet Dhaliwal
Dhal Real Estate, LLC
16000 W. 9 Mile Road, Suite 210
Southfield, MI 48075

Mr. Frank Lukas
Lukas & Sons Enterprises, Inc.
15886 Middlebelt Road
Romulus, MI 48174

SRN: U632003160, Oakland County

Dear Mr. Dhaliwal and Mr. Lukas:

VIOLATION NOTICE

On August 31, 2020 and September 9, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the commercial property located at 15919 W. 10 Mile Road, Southfield. The purpose of the inspections 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, Dhal Real Estate, LLC owns the property and Lukas & Sons Enterprises, Inc. performed the demolition activities at the property. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, AQD staff observed the commercial building was demolished without the submittal of a 10-day notice of intent to demolish. The contractor hired to perform asbestos abatement informed the AQD all regulated asbestos containing materials were not removed prior to demolition of the structure. The building was demolished with asbestos ceiling tile, drywall joint compound, floor tile and furnace cloth still in the building. Also, floor tile that tested positive for asbestos on concrete was not removed as recommended by the AQD and was sent to a concrete crusher .

Process Description	Section Violated	Comments
Demolition of an asbestos-NESHAP subject commercial structure located at 15919 W. 10 Mile Road in Southfield.	40 CFR 61.145(b)(1)	Failure to provide 10 working day notification prior to building demolition.
	40 CFR 61.145(c)(1)	Failure to remove regulated asbestos containing materials (RACM) prior to demolition-all materials identified in the asbestos survey were not removed prior to demolition.
	40 CFR 61.145(c)(4)	Failure to contain in leak tight container-the building was demolished without abatement of all RACM.
	40 CFR 61.145(c)(8)	Failure to have a site supervisor trained in the asbestos NESHAP regulations on the site.
	40 CFR 61.150(b)(1)	Failure to deposit asbestos containing waste material at a Type II landfill that accepts asbestos.

Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by November 2, 2020 (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. **With your response please include the load tickets for demolition debris and concrete as well as waste manifests for the asbestos waste.**

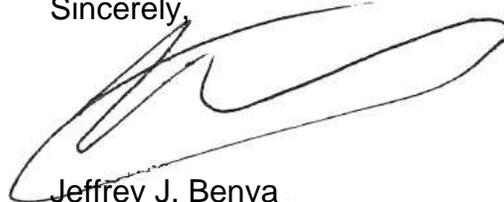
Please submit the written response to Mr. Jeffrey Benya at EGLE, AQD 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or benyaj@michigan.gov and submit a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or wolfj2@michigan.gov.

If 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.

Mr. Jet Dhaliwal
Mr. Frank Lukas
Page 3
October 12, 2020

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 property listed. 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 'Jeffrey J. Benya', written over a light blue horizontal line.

Jeffrey J. Benya
Environmental Quality Analyst
Air Quality Division
313-618-0372

Enclosures: 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