



GRETCHEN WHITMER  
GOVERNOR

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



AARON B. KEATLEY  
ACTING DIRECTOR

June 1, 2023

Katherine Himmilwright  
Pontiac West Building LLC  
c/o IRG Realty Advisors LLC  
4020 Kinross Lakes Parkway, Suite 200  
Richfield, OH 44286

Scott Krall  
Blue Star, Inc.  
21950 Hoover Road  
Warren, MI 48089

SRN: U632303215, Oakland County

Dear Katherine Himmilwright & Scott Krall:

**VIOLATION NOTICE**

On May 11 & 12, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted a complaint inspection of the commercial property located at 640 South Boulevard East, Pontiac. The purpose of this inspection 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, Pontiac West Building LLC owns the facility and Blue Star, Inc. performed the renovation activities at the facility. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, staff observed the following: A commercial property undergoing interior renovations. Survey documents provided to EGLE did not include the part of the larger complex where the renovation activities were being conducted, specifically, 640 South Boulevard East. Additionally, sampling conducted under contract to Blue Star, Inc. after work began failed to identify regulated asbestos containing material (RACM), specifically, mudded pipe fitting insulation. Sampling conducted by EGLE as well as a consultant representing the complainant determined this material to be positive for asbestos.

Process Description	Section Violated	Comments
Renovation activities at a subject commercial building.	40 CFR 61.145(a)	Failure to thoroughly inspect for the presence of asbestos containing materials prior to renovation/demolition.

Katherine Himmilwright/Scott Krall  
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Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by June 22, 2023 (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 include a copy of the asbestos survey that was completed if it wasn't previously forwarded.

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

Thank you for your attention to resolving the violation cited above and for the cooperation. 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,



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

Enclosures: Asbestos NESHAP Fact Sheet, Asbestos sample results

cc: Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Jenine Camilleri, EGLE  
Jeremy Howe, EGLE  
Joyce Zhu, EGLE  
Jason Wolf, EGLE