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DEQ-AQD

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SAGINAW BAY

January 18, 2018

Matthew Karl
Environmental Quality Analyst
Air Quality Division
State of Michigan
Department of Environmental Quality
Saginaw Bay District Office
401 Ketchum Street – Suite B
Bay City, MI 48708

Re: SRN: U731708432 Saginaw County

Dear Mr. Karl,

This correspondence is regarding the Michigan Department of Environmental Quality (MDEQ) inspection conducted on December 19, 2017 at 1527 Bond Street in Saginaw, Michigan and subsequent violation that was issued.

Bierlein has been contracted by Covenant HealthCare to perform asbestos abatement, demolition and site restoration services at 17 vacant houses located in the neighborhood surrounding Covenant HealthCare.

On October 10, 2017, DMD Environmental Services (DMD) of Toledo, Ohio performed an asbestos inspection at the house located at 1527 Bond Street. The results of the DMD survey were sent to Covenant by Bierlein and were used to submit the 10-day notification for the abatement and demolition of the property.

Bierlein performed asbestos abatement activities on November 15 and 16. All asbestos materials that were identified in the DMD survey were removed and properly disposed of.

Demolition was initially scheduled to be performed on November 17. Due to delays in utility termination by Consumers Energy, the actual demolition of the structure was delayed.

As stated on the Notice of Violation, the MDEQ Air Quality Division conducted an inspection of 1527 Bond Street, Saginaw, Saginaw County, Michigan on December 19, 2017. During the inspection, it was determined that the asbestos abatement noted on the 10-day notification was completed, however a light shield with thermal systems insulation (TSI) was found on the ceiling of the second-floor room to the left of the stairs and vermiculite was found in the attic of the residence. Two violations were issued; 61.145(a) Failure to thoroughly inspect, and 61.145(c)(1), Failure to remove RACM. Simply stated, TSI was left in the structure after abatement was finished, but before demolition.

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Upon notice of the violation, Bierlein immediately resampled the heat shield and vermiculite and determined both were positive for asbestos. The heat shield was removed, and the vermiculite was determined to exist throughout the walls, overhangs, and attic areas. It was determined that the best course of action regarding the vermiculite is to demolish the house utilizing wet methods, and dispose of all debris as friable asbestos containing material. The notification has been submitted for the demolition date of January 26, 2018. This date may change if the temperature on this date is below 32 degrees and does not allow for proper wet demolition methods.

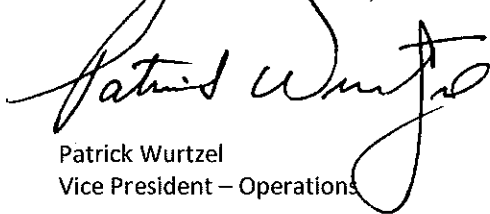
Bierlein respectfully requests that the violations issued by the MDEQ be withdrawn. We contend that although there was asbestos remaining after the initial abatement, any additional asbestos would have been identified during the pre-demolition survey conducted prior to the commencement of demolition operations by the demolition competent person who is also a State of Michigan accredited Asbestos Supervisor. The demolition project would have been delayed at this time, and any suspect materials retested to determine if asbestos was present. The "final look" taken by the demolition supervisor during the pre-demolition survey insures that all items contained on the pre-demolition survey checklist are addressed before demolition occurs.

Bierlein has utilized DMD for many years to perform asbestos inspections and industrial hygiene services on abatement projects throughout Michigan and the Midwest. Our philosophy is that a third-party firm, such as DMD, insures that no questions will arise regarding questionable asbestos survey findings that may affect the financial or timing outcomes of a demolition project performed by Bierlein. We believe that the premium paid to such a firm pays dividends in terms of environmental compliance and customer relations. We have never had a situation arise such as this with DMD during our years of utilizing their services. Although we still hold DMD in high regard, we plan to meet with them and determine the root cause of their error on this project, and make the decision whether or not to utilize their services in the future.

Bierlein takes pride in our reputation as a premier contractor in the demolition and abatement industry. Our reputation with the MDEQ was built with the knowledge that Bierlein does not take shortcuts and performs all projects in accordance with all environmental regulations. We hope that these facts are taken into consideration on this matter.

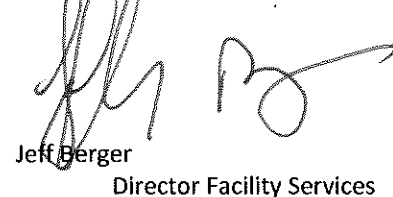
Sincerely,

BIERLEIN COMPANIES, INC.



Patrick Wurtzel
Vice President – Operations

COVENANT HEALTHCARE



Jeff Berger
Director Facility Services

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