



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

March 6, 2020

Mr. Jeff Katofsky
Hip Hip Huron, LLC
4558 Sherman Oaks Blvd.
Sherman Oaks, CA 91403

Mr. Dan Brennan
Westhaven Builders, LLC
6504 Rattle Run
Saint Clair, MI 48079

SRN: U742000292, Saint Clair County

Dear Mr. Katofsky & Mr. Brennan:

VIOLATION NOTICE

On January 15, 2020 and February 18, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the commercial property, the Harrington Hotel, located at 1026 Military St., Port Huron, MI 48060.

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, Hip Hip Huron, LLC owns the property and Westhaven Builders, LLC performed the demolition/renovation 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 following:

An active demolition/renovation project of a commercial property. An asbestos survey could not be produced for review, and in fact was not conducted until February 17, 2020. One sample taken by AQD staff was positive for asbestos.

Process Description	Section Violated	Comments
Demolition/Renovation of a commercial property without a thorough asbestos survey.	40 CFR 61.145(a)	Failure to thoroughly inspect for the presence of asbestos

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Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by March 27, 2020 (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 submit the written response to Jeffrey Benya at EGLE, AQD 3058 West Grand Boulevard, 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 Mr. Katofsky or Mr. Brennan believe 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 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,



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

Enclosures

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