



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



DAN WYANT
DIRECTOR

August 14, 2015

Mr. Jesse Brown
Brown Environmental Construction
2389 E Outer Drive
Detroit MI 48234-1958

7007 2680 0002 1436 3409

Mr. Kevin Simowski
Detroit Land Bank Authority
65 Cadillac Square, Suite 3200
Detroit, MI 48226

7007 2680 0002 1436 3416

SRN: U821505094, Wayne County

Dear Mr. Brown and Mr. Simowski,

VIOLATION NOTICE

On June 18, the Department of Environmental Quality (DEQ), Air Quality Division, conducted an inspection of several residential properties located in the City of Detroit. The properties are 17534 McDougall, 13784 Gable, 13984 Lumpkin, 17450 Joseph Campau, 14350 Minock, 16716 Dolphin and 14200 Evergreen, Detroit. The purpose of this inspection was to determine Brown Environmental Construction's compliance with the requirements of Title 40 of the Code of Federal Regulations, Part 61, Subpart M (National Emission Standard for Asbestos), and Rule 942 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to our investigation, the Detroit Land Bank Authority owns the properties, and Brown Environmental Construction performed demolition/renovation activities at the properties. The National Emission Standard for Asbestos holds both the owner and operator(s) equally liable for violations.

On June 18, 2015, AQD inspector Tammy S. Bell inspected several residential properties. Regulated-asbestos containing material (plaster) was identified at the 13984 Lumpkin site. The material was dry and friable. Regulated-asbestos containing material was also identified at 13784 Gable (skimcoat on wallboard). The material was dry and friable. Regulated-asbestos containing material (exterior caulk/sealant debris) was found dry and friable at 17534 McDougall. The homes had been demolished and the debris was still on site.

Process Description	Section Violated	Comments
Asbestos-NESHAP subject residential properties located at 13984 Lumpkin, 17534 McDougall and 13784 Gable, Detroit	§61.145(a), DEQ AQD Consent Order No. 25-2013.	Failure to thoroughly inspect for asbestos.
	§61.145(b)(4)(vi), DEQ AQD Consent Order No. 25-2013	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM).

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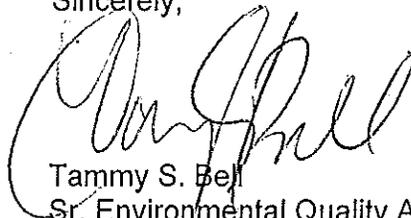
	§61.145(c)(1), DEQ AQD Consent Order No. 25-2013.	Failure to remove RACM prior to demolition.
	§61.145(c)(4), DEQ AQD Consent Order No. 25-2013.	Failure to contain in leak tight container.
	§61.145(c)(6)(i), DEQ AQD Consent Order No. 25-2013.	Failure to wet RACM that has been stripped.
	§61.150(b)(1), DEQ AQD Consent Order No. 25-2013.	Failure to dispose of debris at a Type II landfill.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 4, 2015 (which coincides with 21 calendar days from the date of this letter). The written 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.

If Brown Environmental Construction and/or the Detroit Land Bank Authority believes the above observations or statements are inaccurate or do not constitute violations of the applicable legal requirements cited, please provide appropriate 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 our investigation. 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 S. Bell
Sr. Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosure: Sample results
cc: Ms. Lynn Fiedler, DEQ
Ms. Barb Rosenbaum, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Wilhemina McLemore, DEQ