



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



KEITH CREAGH
DIRECTOR

January 26, 2016

Mr. David Przygoda
D&S Contractors, Inc.
3500 W. 11 Mile, Suite A
Berkley, MI 48072

Mr. David Przygoda
The Allen West Group, LLC
3500 W. 11 Mile, Suite A
Berkley, MI 48072

SRN: U821512947, Wayne County

Dear Mr. Przygoda:

VIOLATION NOTICE

On December 23, 2015 and January 7 and 24, 2016, the Department of Environmental Quality (DEQ), Air Quality Division, conducted an inspection of the former K-mart located at 19800 West Road, Woodhaven. The purpose of this inspection was to determine D&S Contractors, Inc.'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 Allen West Group, LLC owns the facility and D&S Contractors, Inc. performed renovation activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, DEQ staff observed that asbestos-containing materials located within the former K-Mart had been removed during interior building renovations. D&S Contractors, Inc. had removed regulated asbestos containing materials including floor tile, drywall joint compound, and debris contaminated with RACM. The floor tile was identified as friable in the report; broken, and crumbled floor tile debris was found in the building; the material was dry. A collapsed portion of the roof had also been repaired by D&S Contractors, Inc.

Process Description	Section Violated	Comments
Renovation activities inside the former K-Mart, located at 19800 West Road, Woodhaven.	§61.145(a)	Failure to thoroughly inspect for asbestos-testing information regarding the roofing was not provided to the MDEQ as requested.
	§61.145(b)(3)(i)	Failure to provide 10 day notice prior to asbestos work.
	§61.145(c)(4)	Failure to contain RACM in leak tight container.
	§61.145(c)(6)(i)	Failure to wet RACM that has been stripped.

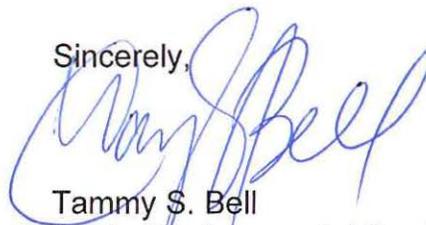
	§61.145(c)(8)	No asbestos contractor supervisor on site.
	§61.150(a)(1)(v)	No generator labels.
	§61.150(b)(1)	Failure to deposit regulated asbestos containing waste material in accordance with the Asbestos NESHAP.
	§61.150(c)	No signs during loading and unloading of asbestos-containing waste material.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by February 16, 2016 (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 D&S Contractors, Inc. and /or the Allen West Group, LLC believe 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 my inspection of 19800 West Road, Woodhaven. 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
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosure: Asbestos Survey Report
cc: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Wilhemina McLemore, DEQ
Mr. Jon Tackett, City of Woodhaven