



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



KEITH CREAGH
DIRECTOR

March 25, 2016

Mr. Luiz Ramirez
Elliot Building, LLC
LR&M Construction, LLC
400 Bagley
Detroit, MI 48226

SRN: U821602373, Wayne County

Dear Mr. Ramirez:

VIOLATION NOTICE

On February 2, 2016, the Department of Environmental Quality (DEQ), Air Quality Division, conducted an inspection of the Elliot Building located at 1401-1403 Woodward Avenue, Detroit. The purpose of this inspection was to determine LR&M Construction, LLC's and Elliot Building, LLC'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, Elliot Building, LLC owns the facility and LR&M Construction, LLC performed the renovation activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

DEQ AQD staff Joe Goeddeke, Jeremy Brown and Tammy S. Bell observed that regulated asbestos-containing materials had been removed from the commercial building during renovation activities. Materials include over <160 square feet of drywall, plaster and friable floor tile. Dry, friable pipe insulation was found inside of a garbage bag in the basement. Dust and dry debris were noted throughout the areas inspected. The regulated asbestos-containing materials were not disposed of in leak tight containers and were not sent to a Type II landfill.

Process Description	Section Violated	Comments
Renovation activities at 1401 Woodward, Detroit.	§61.145(a)	Failure to thoroughly inspect for asbestos-plaster sample tested positive for asbestos.
	§61.145(b)(3)(i)	Failure to provide notice prior to asbestos work
	§61.145(b)(4)(vi)	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM).

	§61.145(c)(3)	Failure to wet during stripping
	§61.145(c)(4)	Failure to contain in leak tight container
	§61.145(c)(6)(i)	Failure to wet RACM that has been stripped
	§61.145(c)(8)	No contractor supervisor on site
	§61.150(a)	Visible emissions from asbestos containing waste material generated by source
	§61.150(a)(1)(v)	No generator labels
	§61.150(b)(1)	Failure to deposit asbestos containing waste in accordance with the regulation.
	§61.150(c)	No signs during loading and unloading

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by April 15, 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 Elliot Building, LLC and/or LR&M Construction, LLC 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. 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

cc: Ms. LaReina Wheeler, City of Detroit BSEED

cc via email: Ms. Lynn Fiedler, DEQ

Ms. Teresa Seidel, DEQ

Ms. Holly Hollenbach, DEQ

Mr. Thomas Hess, DEQ

Ms. Karen Kajiya-Mills, DEQ

Ms. Wilhemina McLemore, DEQ