



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



C. HEIDI GREETHER
DIRECTOR

October 19, 2018

Mr. Duane Barbat
The Barbat Organization, Inc
33477 Woodward Avenue
Suite 800
Birmingham, MI 48009

Mr. Alex Nagy, Jr
Nagy, Inc.
2598 Genes Drive
Auburn Hills, MI 48326

SRN: U821809228, Wayne County

Dear Mr. Barbat and Nagy:

VIOLATION NOTICE

On October 1, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of the facility located at 6505 Woodward Ave., Detroit. The purpose of this inspection was to determine The Barbat Organization, Inc and Nagy, Inc. 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, The Barbat Organization, Inc. owns the facility and Nagy, Inc. performed the renovation activities at the facility. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, DEQ staff Joseph Goeddeke observed employees removing debris from the second and third floors of the building. Upon further investigation, it was discovered that an Asbestos Survey was not completed before work began, and that there was no Notification of Intent to Renovate submitted with the MDEQ. Two samples collected at the site (floor tile and pipe wrap) were positive for asbestos, but I could not verify that the threshold amount (160 square feet and/or 260 linear feet) was disturbed.

Process Description	Section Violated	Comments
Renovation activities at 6505 Woodward Avenue, Detroit	40 CFR 61.145(b)(1)	Failure to thoroughly inspect for asbestos prior to renovation activities
	40 CFR 61.145(b)(3)(i)	Failure to provide notice prior to asbestos work.

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Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by November 9, 2018 (which coincides with 21 calendar days from the date of this letter). The 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.

Please submit the written response to Mr. Joseph Goeddeke at DEQ, AQD 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or goeddekej@michigan.gov and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or CamilleriJ@michigan.gov.

If The Barbat Organization, Inc or Nagy, Inc. believes 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 violations cited above and for the cooperation that was extended to me during my inspection of 6505 Woodward Avenue, Detroit. 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,



Mr. Joseph Goeddeke
Environmental Quality Analyst
Air Quality Division
517-331-7906

cc: Mr. Paul Max, City of Detroit BSEED
Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Wilhelmina McLemore, DEQ