



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

March 25, 2020

Mr. Don Moss
The Moss Company, LLC
6400 Mount Elliott
Detroit, MI 48211

Ms. Tammy Daniels
The Detroit Land Bank Authority
500 Griswold, Suite 1200
Detroit, Michigan 48226

Mr. Ron Crawford
The Detroit Building Authority
1301 Third Street, Suite 328
Detroit, Michigan 48226

SRN: U822000947, Wayne County

Dear Mr. Moss, Ms. Daniels and Mr. Crawford:

VIOLATION NOTICE

On February 26, 2020 and March 4, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the vacant residential property located at 6100 Proctor Street, Detroit, Michigan. The purpose of the 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, the property is owned by the Detroit Land Bank Authority and was demolished by The Moss Company, LLC. The Detroit Building Authority manages the City of Detroit's demolition program. The NESHAP for Asbestos holds owners and operators liable for violations.

During the inspections, AQD staff noted that a notice of intent to renovate/demolish was not submitted for the above residential property prior to demolition. The notification should have been submitted as soon as possible to the AQD prior to the demolition of the structure.

Additionally, on March 4, 2020, it was noted that presumed asbestos containing waste material from the ordered demolition was still in the hole and covered with plastic while the site was regulated. The building was demolished on February 21, 2020. Asbestos containing waste material from demolitions should be promptly disposed of after demolition.

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Process Description	Section Violated	Comments
Demolition of a residential structure deemed an emergency demolition by the City of Detroit.	40 CFR 61.145(b)(3) iii; AQD Consent Judgment No. 18-862	Failure to notify the AQD as early as possible before, but not later than, the following working day for an ordered demolition.
Demolition on February 21, 2020. Asbestos containing waste material was still present on site on March 4, 2020.	40 CFR 61.150(b)(1); AQD Consent Judgment No. 18-862	Failure to deposit asbestos containing waste material as soon as practical in a Type II landfill.

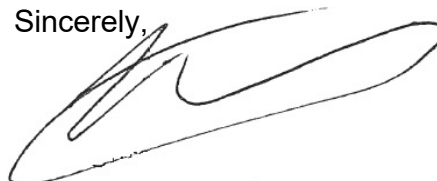
Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by April 15, 2020 (which coincides with 21 calendar days from the date of this letter). The response should include: the dates the violation occurred; an explanation of the causes 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 Mr. Jeffrey Benya at EGLE, AQD, Detroit District, 3058 West Grand Boulevard, Suite 2-300, 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 the DLBA, the DBA and/or The Moss Company, LLC 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 violation cited above. 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,



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

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Mr. Ron Crawford
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cc: Mr. Paul Max, City of Detroit BSEED
Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Karen Kajiya-Mills, EGLE
Dr. April Wendling, EGLE
Mr. Jason Wolf, EGLE