



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

November 9, 2020

Mr. Timothy Palazzolo
City of Detroit Demolition Department
1301 Third Street, Suite 606
Detroit, MI 48226

Ms. Tammy Daniels
Detroit Land Bank Authority
500 Griswold Street, Suite 1200
Detroit, MI 48226

Mr. Mark Green
Green Environmental Safety Commission, LLC
1001 Woodward Avenue, Suite 500
Detroit, MI 48226

SRN: U822002164, Wayne County

Dear Mr. Palazzolo, Ms. Daniels, and Mr. Green:

VIOLATION NOTICE

On October 14, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the residential properties located at 4034 and 4040 Beniteau St., Detroit. The purpose of this 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 Detroit Land Bank owns 4034 and 4040 Beniteau St., Detroit. The City of Detroit Demolition Department manages demolitions for the City of Detroit. Green Environmental Safety Commission, LLC conducted asbestos abatement activities at 4034 Beniteau St. in preparation for demolition activities by Detroit Next, Inc. 4040 Beniteau St. was demolished by Detroit Next, Inc. The NESHAP for Asbestos holds the owner and operators liable for violations.

On October 13, 2020, Mr. Timothy Palazzolo, Deputy Director of the City of Detroit Demolition Department, reported to the AQD that an individual was observed removing suspect asbestos containing plaster from 4034 Beniteau St. and dumping the plaster onto the demolition debris pile located at 4040 Beniteau St. The City of Detroit Demolition Program issued a stop work order for the project.

AQD staff conducted an inspection on October 14, 2020. A 10-day notice of intent to demolish/renovate had been submitted to the AQD for 4034 Beniteau St. by Green

Environmental Safety Commission, LLC. The notification included, but was not limited to, the removal of an estimated 11,000 square feet of asbestos-containing plaster. Samples collected by the AQD from 4034 and 4040 Beniteau St. tested positive for asbestos. The following violations were noted at the sites:

Process Description	Section Violated	Comments
Asbestos abatement and demolition activities at 4034 and 4040 Beniteau St., Detroit. The buildings are being demolished as part of a project to demolish 33 residences on Beniteau St. in Detroit.	40 CFR 61.145(b)(2); Consent Judgment No. 18-862	Failure to update the 10-day notification /project schedule to reflect start and end dates of asbestos abatement.
	40 CFR 61.145(c)(4); Consent Judgment No. 18-862	Failure to contain plaster in leak tight containers. Plaster was found on the front porch and inside of 4034 Beniteau St., as well as in the debris pile at 4040 Beniteau St.
	40 CFR 61.150(a); Consent Judgment No. 18-862	Visible emissions from asbestos containing waste material. Dry, friable plaster was found on the front porch of 4034 Beniteau St. and on the demolition debris pile at 4040 Beniteau St.
	40 CFR 61.150(a)(1); Consent Judgment No. 18-862	Failure to adequately wet friable regulated asbestos materials (plaster) until collected for proper disposal.
	40 CFR 61.150(a)(1)(iii); Consent Judgment No. 18-862	Failure to seal asbestos waste bags inside of 4034 Beniteau St. The building was accessible, the asbestos work area was not enclosed nor were signs used to regulate the area.
	40 CFR 61.150(a)(1)(iv); Consent Judgment No. 18-862	Failure to label the waste bags inside of 4034 Beniteau St. with warning labels as specified by OSHA.
	40 CFR 61.150(b)(1); Consent Judgment No. 18-862	Failure to properly dispose of asbestos containing waste materials. The plaster and waste bags were dumped onto 4040 Beniteau St. Additional waste bags were left in the front yard of 4034 Beniteau St.

Mr. Timothy Palazzolo, Ms. Tammy Daniels and Mr. Mark Green
City of Detroit Demolition Department/Detroit Land Bank Authority/Green Environmental
Safety Commission, LLC

Page 3

November 9, 2020

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by November 30, 2020 (which coincides with 21 calendar days from the date of this letter). The response should include:

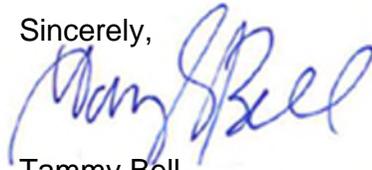
- the dates the above violations occurred;
- an explanation of the causes and duration of the violations;
- whether the violations are ongoing;
- a summary of the actions that have been taken and are proposed to be taken to correct the violations;
- and the dates by which these actions will take place; and
- what steps are being taken to prevent a reoccurrence.

Please submit the written response to Ms. Tammy Bell at EGLE, AQD 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or bellt4@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 City of Detroit Demolition Department, the Detroit Land Bank Authority, and/or Green Environmental Safety Commission, 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 violations cited above and for the cooperation that was extended to me during my inspection of 4034 and 4040 Beniteau, 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,



Tammy Bell
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosure: Sample results

cc: Mr. Ron Crawford, City of Detroit Demolition Department
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
Mr. Jason Wolf, EGLE
Dr. April Wendling, EGLE