



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

December 20, 2021

Mr. John Deporre  
Deporre Building LLC  
4126 Spur Hill Drive  
Bloomfield, MI 48304

Mr. Carlos Avitia  
Primetime Contracting Services, Inc.  
47448 Pontiac Trail, Suite 265  
Wixom, MI 48393

Mr. John Bialowicz  
2219 Coolidge LLC  
740 Welch  
Commerce Township, MI 48390

SRN: U632106568, Oakland County

Dear Mr. Deporre, Mr. Avitia, and Mr. Bialowicz,

### **VIOLATION NOTICE**

On December 3 and 9, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted a complaint investigation of the commercial property located at 2219 Coolidge Highway, Berkley. 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, 2219 Coolidge LLC owns the facility and Primetime Contracting Services, Inc. performed the renovation activities at the facility. Deporre Building LLC was overseeing the project. The NESHAP for Asbestos holds both the owner and operators equally liable for violations.

During the inspection, staff observed the following:  
Suspect asbestos containing material (ACM) debris on the floor in several locations throughout the building. This material was directly underneath where damaged friable ACM remained in place above a plaster ceiling - apparently disturbed during renovation activities. Material was in a friable and dry state. EGLE staff sampled the material for asbestos content and the material tested positive for asbestos.

December 20, 2021

Process Description	Section Violated	Comments
Renovation activities in a subject commercial building disturbing friable ACM.	40 CFR 61.145(c)(3)	Failure to wet during stripping
	40 CFR 61.145(c)(4)	Failure to contain in leak tight container.
	40 CFR 61.145(c)(6)(i)	Failure to wet RACM that has been stripped.
	40 CFR 61.145(c)(8)	No contractor supervisor on site.

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by January 10, 2022 (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. Jeffrey Benya at EGLE, AQD, 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or [benyaj@michigan.gov](mailto: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](mailto:wolfj2@michigan.gov).

If any party 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 subject property. 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,



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

Enclosures: Asbestos sample results, NESHAP fact sheet

Mr. Deporre, Mr. Avitia, Mr. Bialowicz

Page 3

December 20, 2021

cc: 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  
Ms. Joyce Zhu, EGLE