



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



LIESL EICHLER CLARK
DIRECTOR

October 14, 2019

UPS NEXT DAY DELIVERY

Mr. Alex de Parry
West Jefferson Street, LLC
202 East Madison Street
Ann Arbor, Michigan 48104

Mr. Steve DeWolfe
Excavators, Inc.
8875 Dexter Chelsea Road
Dexter, Michigan 48130

ID: U811802116; Washtenaw County

Dear Mr. de Parry and Mr. DeWolfe:

VIOLATION NOTICE

On September 16, 2019 and October 10, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 116 West Jefferson Street, Ann Arbor, Washtenaw County. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR), 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 (Act 451).

According to my investigation, West Jefferson Street, LLC, owns the subject property and Excavators, Inc., performed the demolition activities. The National Emission Standard for Asbestos holds both the *owner and operator* equally liable for any violations.

During the inspection, staff observed the following:

The subject facility had a demolition permit from the City of Ann Arbor. However, during my inspection of the property located at 116 West Jefferson Street on September 16, 2019, I observed properties with structures still standing at 441 South Ashley Street and 116 West Jefferson Street. During my inspection on October 10, 2019, I observed that the structure at 116 West Jefferson Street was demolished with only a basement foundation remaining. I noted from satellite imagery that the structures at 112 West Jefferson Street and 118 West Jefferson Street were formerly standing but are now demolished and gone. A statement from the operator of Excavators, Inc., was made that they had demolished all the above mentioned structures and were preparing to demolish 441 South Ashley Street next.

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| Process Description | Section Violated | Comments |
|--|----------------------|---|
| On 10/10/19, staff performed a pre-demolition inspection at 116 West Jefferson Street, Ann Arbor. During the inspection, staff observed the structure partially demolished without a 10-day Notification. The addresses 112 and 118 West Jefferson Street were also demolished at a previous date without a 10-day Notification. | 40 CFR 61.145 (b)(1) | Failure to provide 10 working day notification. |

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by November 4, 2019, (which coincides with 21 calendar days from the date of this letter). The written 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 signed written response to Mr. Ivan Bell, EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scan and email as an attachment to me at belli@michigan.gov and submit a copy to Mr. Jason Wolf, Enforcement Unit, EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or Wolfj2@michigan.gov.

If you believe the above observations or statements are inaccurate or do not constitute a violation of the applicable legal requirements cited, please provide appropriate factual information to explain your position.

Thank you for your attention to resolving the violation cited above and for the cooperation that was extended to me during our phone conversations, in person interactions, and emails. If you have any questions regarding the Violation Notification or the actions necessary to bring this facility into compliance, please feel free to contact me at 517-582-0535; belli@michigan.gov or EGLE, AQD, P.O. 30260, Lansing, Michigan 48909-7760.

Sincerely,



Ivan Bell
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Scott Miller, EGLE
Mr. Jason Wolf, EGLE
Ms. Karen Kajiya-Mills, EGLE