



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

October 18, 2016

Mr. John Koresky
Able Demolition Incorporated
5675 Auburn Road
Shelby Township, Michigan 48317

Ms. Pura Bascos
Detroit Land Bank Authority
500 Griswold Street, Suite 1100
Detroit, Michigan 48226

Mr. Tim Palazzolo
Detroit Building Authority
500 Griswold, Suite 1200
Detroit, Michigan 48226

SRN / ID: U821610182

Dear Mr. Koresky, Ms. Bascos and Mr. Palazzolo:

ADDITIONAL VIOLATION NOTICE

On October 12, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), received a reply in regard to the violation notice dated September 21, 2016, for the address of 16835 Prairie Street, Detroit, Wayne County, Michigan. The purpose of the original inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations, 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.

According to our ongoing investigation, the Wayne County Treasurer does not own the property as originally stated in the above mentioned violation notice. It was determined that the Detroit Land Bank Authority owns the property and Able Demolition Incorporated performed the demolition activities at the sites. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the investigation, DEQ AQD staff, Mr. Jeremiah Brown observed the following:

The reply for the violation notice of September 21, 2016, from Douglas G. McClure of Conlin, Mckenney & Philbrick (counsel for Able Demolition, Inc.), included the invoice/manifest for the demolition debris. This invoice stated that the debris was disposed of as Construction Debris and not as Regulated Asbestos Containing Waste.

October 18, 2016

Process Description	Section Violated	Comments
	§61.150(b)(1)	Failure to deposit demolition debris as asbestos containing waste at the landfill.

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by November 8, 2016, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) 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 date(s) by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The signed written response from both owner and operator to this violation notice may be submitted by mail and directed to my attention at; DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909 or scanned and sent as an email attachment to brownj9@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 extended to me during our meeting and emails. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-599-7825; brownj9@michigan.gov; or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Jeremiah Brown
Environmental Quality Analyst
Air Quality Division

Enclosure

cc: Dr. Abdul El-Sayed, City of Detroit
Mr. Melvin Butch Hollowell, City of Detroit
Ms. LaReina Wheeler, City of Detroit BSEED
Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Ms. Wilhemina McLemore, DEQ
Mr. Tom Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ



RICK SNYDER
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STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

September 21, 2016

Mr. John Koresky
Able Demolition, Incorporated
5675 Auburn Road
Shelby Township, Michigan 48317

Mr. Eric Sabree
Wayne County Treasurer
International Building Center
400 Monroe Street, 5th Floor
Detroit, Michigan 48226

Mr. Tim Palazzolo
Detroit Building Authority
500 Griswold Street, Suite 1200
Detroit, Michigan 48226

Mr. Boysie Jackson
City of Detroit
Office of Contracting & Procurement
2 Woodward Avenue, Room 1008
Detroit, Michigan 48226

SRN / ID: U821610182

Dear Mr. Koresky, Mr. Sabree, Mr. Palazzolo and Mr. Jackson:

VIOLATION NOTICE

On September 14, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), performed an asbestos inspection at 16835 Prairie Street, Detroit, Wayne County, Michigan. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations, 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.

According to our investigation, the Wayne County Treasury Department owns the property and Able Demolition, Incorporated performed the demolition activities at the site. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the investigation, DEQ AQD staff, Mr. Jeremiah Brown and Ms. Karen Kajiya-Mills observed the following:

The subject property had been demolished, and regulated asbestos-containing material (RACM) had not abated before the demolition occurred.

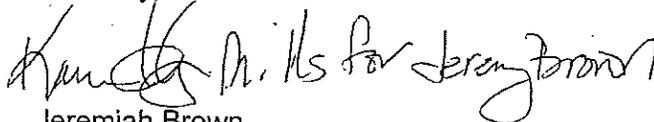
Process Description	Section Violated	Comments
	§61.145(c)(1)	Failure to remove RACM
	§61.145(c)(4)	Failure to contain in leak tight container
	§61.145(c)(8)	No contractor supervisor on site
	§61.145(c)(9)	Failure to wet RACM during demolition
	§61.150(a)(1)(iii)	Failure to seal while wet
	§61.150(a)(1)(v)	No generator labels
	§61.150(c)	No signs during loading and unloading

Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by October 12, 2016, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) 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 date(s) by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The signed written response from both owner and operator to this violation notice may be submitted by mail and directed to my attention at; DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909, or scanned and sent as an email attachment to brownj9@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 violations cited above and for the cooperation extended to me during our meeting and emails. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-599-7825; brownj9@michigan.gov; or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Jeremiah Brown
Environmental Quality Analyst
Air Quality Division

cc: Dr. Abdul El-Sayed, City of Detroit
Mr. Melvin Butch Hollowell, City of Detroit
Ms. LaReina Wheeler, City of Detroit, BSEED
Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Ms. Wilhemina McLemore, DEQ
Mr. Tom Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ