



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SAGINAW BAY DISTRICT OFFICE



LIESL EICHLER CLARK  
DIRECTOR

March 25, 2019

Mr. Kenneth Lawler  
Building Decommission Services (BDS) Environmental  
13845 East Nine Mile Road  
Warren, Michigan 48089

Mr. James Marcy  
Genesee County Land Bank  
452 South Saginaw  
Flint, Michigan 48502

SRN: U251903138, Genesee County

Dear Mr. Lawler and Mr. Marcy:

**VIOLATION NOTICE**

On March 20, 2019, the Department of Environmental Quality (DEQ), Air Quality Division, conducted an inspection of the vacant residence located at 2300 Alexander Street, Flint, Michigan 48505. 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 Genesee County Land Bank owns the facility and BDS Environmental performed the abatement activities at the facility. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, staff observed the following: A BDS Environmental crew was removing regulated asbestos-containing material (RACM) linoleum flooring from within the subject vacant residence on March 20, 2019. The last notification submitted for planned renovation work specified asbestos removal would occur on March 9, 2019 from 8:00 am to 4:30 pm.

Process Description	Section Violated	Comments
Removing RACM linoleum flooring.	40 CFR 61.145(b)(3)(iv)	Failure to provide notice prior to asbestos work.

Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by April 15, 2019 (which coincides with 21 calendar days from the date of this letter). The response should include: the dates the

Mr. Kenneth Lawler  
Mr. James Marcy

2

March 25, 2019

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. Matthew Karl at DEQ, AQD Saginaw Bay District Office, 401 Ketchum Street, Suite B, Michigan 48708 or [karlm@michigan.gov](mailto:karlm@michigan.gov) and submit a copy to Mr. Jason Wolf, Enforcement Unit at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or [WOLFJ2@michigan.gov](mailto:WOLFJ2@michigan.gov).

If BDS Environmental 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 and for the cooperation that was extended to me during my inspection of 2300 Alexander Street. 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,



Matthew Karl  
Environmental Quality Analyst  
Air Quality Division  
989-439-3779  
[karlm@michigan.gov](mailto:karlm@michigan.gov)

cc: Mr. Kenneth Lawler, BDS Environmental  
Mr. James Marcy, Genesee County Land Bank  
Ms. Mary Ann Dolehanty, DEQ  
Dr. Eduardo Olaguer, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Jenine Camilleri, DEQ  
Ms. Karen Kajiya-Mills, DEQ  
Mr. Brad Myott, DEQ  
Mr. Jason Wolf, DEQ