



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

LANSING

April 7, 2022

UPS NEXT DAY DELIVERY

Mr. Chad Jones  
Lurvey Construction  
601 South Grand Traverse Street  
Flint, Michigan 48502

Mr. Martin Burnash  
Burnash Wrecking, LLC  
3842 Robert T. Longway Boulevard  
Flint, Michigan 48502

SRN/ID: U252201586; Genesee County

Dear Mr. Jones and Mr. Burnash:

**VIOLATION NOTICE**

On March 28, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) investigated a dust complaint located at 1520 South Saginaw Street, Flint, Genesee County. During the investigation of the dust complaint, it was observed and noted that several additional demolitions had occurred at 201 West Tenth Street; 1501 Beach Street; and 1518 Beach Street. The purpose of this investigation 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.

According to my inspection, Lurvey Construction owns the facilities which were demoed and Burnash Wrecking, LLC, performed the demolition activities. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the investigation, EGLE staff observed the following:

The installation of homes were demoed, and the sites were backfilled and graded. The homes demoed are part of a commercial project and some sites will be used as a parking lot for a new commercial development. Neither the owner nor the contractor submitted the 10-working day Notification of Intent to Renovate/Demolish to the administrator prior to the multiple demolition activities.

<b>Process Description</b>	<b>Section Violated</b>	<b>Comments</b>
On 3/24/22, received an anonymous dust complaint. Contacted the contractor regarding the stated complaint. Contractor indicated they would confirm water use to prevent forgive dust issues. On 3/28/22, arrived on-site to verify water use. During the investigation, additional demolitions were noted.	40 CFR §61.145(b)(1)	Failure to Notify the administrator.

## VIOLATION NOTICE

Mr. Jones and Mr. Burnash

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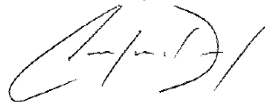
April 7, 2022

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by April 28, 2022 (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 the *owner and operator* to this violation notice, may be submitted by mail and directed to my attention at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. You must also include a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and emailed to DechyC@Michigan.gov and 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 extended to me during our phone conversation. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; DechyC@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Craig W. Dechy  
Senior Environmental Quality Analyst  
Air Quality Division

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Mr. Christopher Ethridge, EGLE  
Ms. Tammy Bell, EGLE  
Mr. Brad Myott, EGLE  
Mr. Jason Wolf, EGLE