



GRETCHEN WHITMER
GOVERNOR

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

DETROIT DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

December 30, 2020

Mr. Ray DeBuck
DeBuck Construction, Inc.
6741 Auburn Road
Utica, MI 48317

Mr. Marvin Kiezi
44825 Holdings, LLC
888 W. Big Beaver Road, Suite 300
Troy, MI 48084

SRN: U502004173, Macomb County

Dear Mr. DeBuck and Mr. Kiezi:

VIOLATION NOTICE

On December 11, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the residential structures located at 44825 and 44809 Van Dyke Avenue, Utica, MI. These structures were homes used as commercial businesses and demolished as part of a commercial project. 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, 44825 Holdings, LLC owns the properties and DeBuck Construction, Inc. performed the demolition activities at the properties. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, AQD staff observed the following: Two vacant residential properties demolished as part of a commercial project. There were notifications of intent to demolish for both properties. 44825 Van Dyke was demolished within notification parameters. 44809 Van Dyke was demolished prior to the notified start date of December 16, 2020.

Process Description	Section Violated	Comments
Demolition of two commercial properties. One of the properties was demolished prior to the notified start date.	40 CFR 61.145(b)(3)(iv)(B)(2)	For a demolition that will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator at least 10 days prior to demolition activities. Only one notification was filed, and it was not revised to reflect the new start date.

Mr. Ray DeBuck
Mr. Marvin Kiezi
DeBuck Construction, Inc.
44825 Holdings, LLC
Page 2
December 30, 2020

Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by January 20, 2021 (which coincides with 21 calendar days from the date of this letter). The 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 written response to Jeffrey Benya at EGLE, AQD, 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan, 48202 or 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

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 violation cited above and for the cooperation that was extended to me during my inspection of the properties listed. 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,



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

Enclosure: NESHAP Fact Sheet
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