



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
DETROIT DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

December 2, 2022

Paul C. Ajegba, P.E., Director
Michigan Department of Transportation (MDOT)
425 W. Ottawa Street
P.O. Box 30050
Lansing, MI 48909

Nicholas Janicke, P.E., Assistant Project Manager
Walsh Construction Company II, LLC
929 W. Adams Street
Chicago, IL 60607

SRN: U582205701 and U582205702, Monroe County

Dear Paul C. Ajegba and Nicholas Janicke:

VIOLATION NOTICE

On November 10, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the two bridges located at I75 and Nadeau Road, Frenchtown Township and I75 and Swan Creek/Newport Road, Berlin Township in Monroe County. The purpose of this inspection was to determine the Michigan Department of Transportation (MDOT) and Walsh Construction Company II, LLC's 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, MDOT owns the bridges and Walsh Construction Company II, LLC demolished both structures. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

On November 10, 2022, AQD staff noted that the bridges had been demolished. According to our investigation, S03 of 58152 (Nadeau Road) was demolished August 12-15, 2022, and S05 of 58152 (Swan Creek/Newport Road) was demolished between November 4-7, 2022. An asbestos survey had been conducted prior to the demolition of each structure. However, the required 10 working day notifications for each structure had not been submitted to EGLE prior to demolition.

Comments	Section Violated	Process Description
Failure to provide 10 working day notification prior to demolishing the bridges. Notification is required prior to demolition of a bridge whether asbestos is present in the structure or not.	40 CFR 61.145(b)(1)	Demolition of two bridges located in Monroe County S03 of 58152 (Nadeau Road) and S05 of 58152 (Swan Creek/Newport Road).

Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by December 27, 2022 (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 recurrence.

Please submit the written response to Tammy Bell at EGLE, AQD, Detroit District Office, 3058 West Grand Blvd, Suite 2-300, Detroit, Michigan 48202 or bellt4@michigan.gov and submit a copy to Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or wolfj2@michigan.gov.

If MDOT and/or Walsh Construction Company II, LLC 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 Nadeau and Newport/Swan Creek bridges. 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,

Tammy S. Bell
 Environmental Quality Specialist
 Air Quality Division
 313-330-0105

Paul C. Ajegba, MDOT
Nicholas Janicke, Walsh Construction Company II, LLC
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cc: Amanda Smith, MDOT
Harold Zweng, MDOT
Mary Ann Dolehanty, EGLE
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Jeremy Brown, EGLE
Scott Miller, EGLE
Dr. April Wendling, EGLE
Jason Wolf, EGLE