



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



C. HEIDI GRETHER
DIRECTOR

January 17, 2018

Mr. Jeff Bedient
Bedient Construction, Inc.
2573 Leach
Rochester Hills, MI 48039

Mr. John Toto
Property Owner
135 W. Tacoma
Clawson, Michigan 48017

SRN: U631800016, Oakland County

Dear Mr. Bedient and Mr. Toto:

VIOLATION NOTICE

On December 4, 2017, the Department of Environmental Quality (DEQ), Air Quality Division, conducted a complaint investigation of the residential property located at 29 High St., Clawson. The purpose of this inspection was to determine Bedient Construction, Inc.'s and Mr. Toto's 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, Mr. Toto owns the property and Bedient Construction, Inc. performed demolition activities at the site. The National Emission Standard for Asbestos holds both the owner and operator are held liable for violations.

During the inspection, staff observed that 29 High St. was demolished without a thorough inspection for asbestos. Dry, friable cement siding and thermal system insulation were sampled and tested positive for asbestos. The required 10-day notification of intent to renovate/demolish was not submitted to the DEQ.

Process Description	Section Violated	Comments
Demolition activities at 29 High St, Clawson.	§61.145(a)	Failure to thoroughly inspect for asbestos prior to demolition.
	§61.145(b)(1)	Failure to notify for demolition.
	§61.145(c)(1)	Failure to remove RACM and Category II material prior to demolition.
	§61.145(c)(4)	Failure to contain in leak tight container
	§61.145(c)(6)(i)	Failure to wet RACM
	§61.145(c)(8)	Failure to have a supervisor or foreman trained in the Asbestos NESHAP on-site.

Mr. Jeff Bedient
Mr. John Toto
Page 2
January 17, 2018

	§61.150(a)(1)(v)	No generator labels
	§61.150(b)(1)	Failure to deposit asbestos containing waste in accordance with the regulation.
	§61.150(c)	No signs during loading and unloading

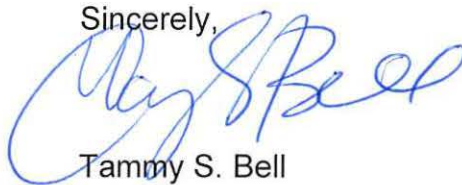
Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by February 7, 2018 (which coincides with 21 calendar days from the date of this letter). **Please note that all parties are required to respond to this violation notice.** The written response should include:

- The dates 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 dates by which these actions will take place;
- What steps are being taken to prevent a reoccurrence; and
- Documentation showing removal of remaining regulated asbestos containing materials identified at 29 High St., Clawson.

If Bedient Construction, Inc. and/or Mr. Toto believes the above observations or statements are inaccurate or do not constitute violations 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 that was extended to me during my inspection of 29 High St., Clawson. 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
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosure

cc: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Christopher Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Joyce Zhu, DEQ