



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



C. HEIDI GREYER
DIRECTOR

October 24, 2018

Mr. James Boverhof
BBI Holdings, LLC
5475 Settlers Pass SE
Kentwood, MI 49512

Mr. Dan Boverhof
Boverhof Builders, Inc.
PO Box 153
Caldonia, MI 49316

SRN: U631809310, Oakland County

Dear Messrs. Boverhof:

VIOLATION NOTICE

On October 16, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of the property located at 5164 Rochester Road, Troy. The purpose of this inspection was to determine BBI Holdings, LLC's and Boverhof Builders, Inc.'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, BBI Holdings, LLC owns the facility and Boverhof Builders, Inc. performed the demolition activities at the facility. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

On October 16, 2018, the AQD observed a new facility being constructed at 5164 Rochester Road, Troy. During the investigation, it was noted that a residential property had been demolished at the site several months prior to make way for the construction of the Gilden Woods Early Care and Preschool building.

Process Description	Section Violated	Comments
Demolition of an asbestos NESHAP subject residential building.	40 CFR 61.145(a)(1)	Failure to provide 10 working day notification prior to demolition

Please note that if an asbestos survey of the structure was not conducted by a State of Michigan licensed asbestos building inspector prior to the initiation of demolition activities, one or more of the following violations may have also occurred:

Process Description	Section Violated	Comments
	40 CFR 61.145(a)	Failure to thoroughly inspect for asbestos prior to demolition/renovation activities.
	40 CFR 61.145(b)(3)(i)	Failure to provide notice prior to asbestos work.
	40 CFR 61.145(b)(4)(vi)	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM).
	40 CFR 61.145(c)(1)	Failure to remove RACM.
	40 CFR 61.145(c)(3)	Failure to wet during stripping.
	40 CFR 61.145(c)(3)(iii)	Failure to keep written approval on site.
	40 CFR 61.145(c)(4)	Failure to contain in leak tight container.
	40 CFR 61.145(c)(6)(i)	Failure to wet RACM that has been stripped.
	40 CFR 61.145(c)(8)	No contractor supervisor on site.
	40 CFR 61.145(c)(9)	Failure to wet RACM during demolition.
	40 CFR 61.145(c)(10)	Failure to remove RACM in building demolished by fire.
	40 CFR 61.150(a)	Visible emissions from asbestos containing waste material generated by source.
	40 CFR 61.150(a)(1)(ii)	Visible emissions from handling operations.
	40 CFR 61.150(a)(1)(iii)	Failure to seal while wet.
	40 CFR 61.150(a)(1)(v)	No generator labels.
	40 CFR 61.150(b)(1)	Failure to deposit asbestos containing waste material as soon as practical.
	40 CFR 61.150(c)	No signs during loading and unloading.

Please initiate actions necessary to correct the cited violation(s) and submit a signed written response to this Violation Notice by November 14, 2018 (which coincides with 21 calendar days from the date of this letter). The response should include: the dates the

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Mr. Dan Boverhof
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violation(s) occurred; an explanation of the causes and duration of the violation(s) whether the violation(s) are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation(s) 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 Ms. Tammy Bell at DEQ, AQD 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or BellT4@michigan.gov and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or CamilleriJ@michigan.gov.

If BBI Holdings, LLC and/or Boverhof Builders, Inc. 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(s) cited above and for the cooperation that was extended to me during my inspection of 5164 Rochester Road, Troy. If you have any questions regarding the violation(s) or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Tammy Bell
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosure: Fact Sheet

cc: Mr. Randy McClure, City of Troy
Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Wilhemina McLemore, DEQ
Ms. Joyce Zhu, DEQ