



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



LIESL EICHLER CLARK
DIRECTOR

February 15, 2019

Mr. Gary Abithiera
GFA Oak Forest, LLC.
985 Elmsford
Troy, MI 48083

SRN: U631810776, Oakland County

Dear Mr. Abithiera:

SECOND VIOLATION NOTICE

On December 5, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) performed an asbestos inspection at 1750 Abbotsford, Troy, Michigan. The purpose of this inspection was to determine 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 (Act 451).

On January 24, 2019, the AQD sent GFA Oak Forest, LLC. (Company) a Violation Notice (VN) citing violations discovered because of the inspection and requested the Company's written response by February 14, 2019. A copy of this VN has been enclosed for your reference. As of the date of this letter, the AQD has not received the Company's written response to the cited violation.

Please be advised that failure to respond in writing and identifying actions the Company will take or has taken to resolve the cited violation may result in an escalated enforcement action by the AQD. Please provide the information requested in the VN dated January 24, 2019 by March 1, 2019, which corresponds to 14 days from the date of this letter.

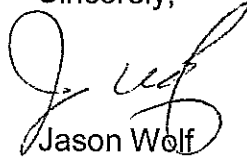
The Company's written response must be submitted to Tammy Bell at DEQ, AQD 3058 West Grand Boulevard, Suite 2-300, Michigan 48202, and must include a copy to Mr. Jason Wolf, Enforcement Unit at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. Or the response may be scanned and sent to bellt4@michigan.gov and wolfj2@michigan.gov.

Be further advised that issuance of this Violation Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under state or federal law as appropriate.

If you have any questions regarding this matter or the actions necessary to bring the Company into compliance, please contact me at the number listed below.

Mr. Gary Abithiera
Second Violation Notice
Page 2

Sincerely,



Jason Wolf
Enforcement Unit
Air Quality Division
517-284-6772

Enclosure

cc/via e-mail: Ms. Mary Ann Dolehanty, DEQ
Dr. Eduardo Olaguer, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Wilhemina McLemore, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Tammy Bell, DEQ



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



LIESL EICHLER CLARK
DIRECTOR

January 24, 2019

Mr. Gary Abithiera
GFA Oak Forest, LLC.
985 Elmsford
Troy, MI 48083

SRN: U631810776, Oakland County

Dear Mr. Abithiera:

VIOLATION NOTICE

On December 5, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of the residential property located at 1750 Abbotsford, Troy. The purpose of this inspection was to determine GFA Oak Forest, 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, GFA Oak Forest, LLC owns the facility and an unknown operator performed the demolition activities at the facility. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, staff observed a residential property was demolished without the required 10- day notice of intent to demolish.

Process Description	Section Violated	Comments
Demolition of a residential property as part of a development.	40 CFR 61.145(b)(1)	Failure to provide 10 working day notification.

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

Process Description	Section Violated	Comments
Demolition of a residential property as part of a development.	40 CFR 61.145(a)	Failure to thoroughly inspect for asbestos prior to demolition/ activities.
	40 CFR 61.145(b)(2)	Failure to update notice.
	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 February 14, 2019 (which coincides with 21 calendar days from the date of this letter). The response should include:

- Name and contact information for the demolition contractor,
- A copy of the asbestos survey for the building;
- Asbestos abatement records for the building;
- The dates the 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.

Mr. Gary Abithiera

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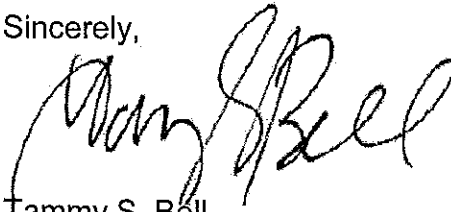
January 24, 2019

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 Mr. Jason Wolf, Enforcement Unit at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or wolfj2@michigan.gov.

If GFA Oak Forest, 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(s) cited above and for the cooperation that was extended to me during my inspection of 1750 Abbotsford, 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 S. Bell
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosure

cc: Ms. Mary Ann Dolehanty, DEQ
Dr. Eduardo Olaguer, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ
Mr. Jason Wolf, DEQ
Ms. Wilhemina McLemore, DEQ



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Shipping Document

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TRACKING NUMBER 1Z 548 9W3 23 1000 689 1

1 SHIPMENT FROM

SHIPPER'S UPS ACCOUNT NO. 5 4 8 9 W 3

REFERENCE NUMBER

NAME AIR QUALITY DIV TELEPHONE 517-284-6732

COMPANY STATE OF MICHIGAN DEQ 2S CONHALL

STREET ADDRESS 525 W ALLEGAN ST

CITY AND STATE LANSING MI ZIP CODE 48933 1502

2 EXTREMELY URGENT DELIVERY TO

NAME Mr Gary Abithiera TELEPHONE

COMPANY GFA Oak Forest LLC

STREET ADDRESS 985 Elmsford DEPT./FLR. Residential Delivery

CITY AND STATE Troy MI ZIP CODE 48083



3 WEIGHT	LTR <input checked="" type="checkbox"/>	WEIGHT	DIMENSIONAL WEIGHT If Applicable	LARGE PACKAGE <input type="checkbox"/>	4 SHIPPER RELEASE <input type="checkbox"/>	1P
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		CHARGES	
5 NEXT DAY AIR SAVER CHARGE		\$	
6 OPTIONAL SERVICES	<input type="checkbox"/> SATURDAY PICKUP See instructions.	\$	
	<input type="checkbox"/> DECLARED VALUE FOR CARRIAGE For declared value over \$100, see instructions. AMOUNT	\$	
	<input type="checkbox"/> C.O.D. If C.O.D., enter amount to be collected and attach completed UPS C.O.D. tag to package. AMOUNT	\$	
7 ADDITIONAL HANDLING CHARGE	<input type="checkbox"/> An Additional Handling Charge applies for certain items. See instructions.	\$	
TOTAL CHARGES		\$	
8 METHOD OF PAYMENT	<input checked="" type="checkbox"/> BILL SHIPPER'S ACCOUNT NUMBER (In Section 1) <input type="checkbox"/> BILL RECEIVER <input type="checkbox"/> BILL THRD PARTY <input type="checkbox"/> CREDIT CARD American Express Diner's Club MasterCard Visa	CHECK <input type="checkbox"/>	

9 RECEIVER'S/THIRD PARTY'S UPS ACCT. NO. OR MAJOR CREDIT CARD NO. EXPIRATION DATE

THIRD PARTY'S COMPANY NAME

STREET ADDRESS

CITY AND STATE ZIP CODE

Shipper authorizes UPS to act as forwarding agent for export control and customs purposes. Shipper certifies that these commodities, technology or software, if exported from the United States, were exported in accordance with the Export Administration Regulations. Diversion contrary to law is prohibited.

10 SHIPPER'S SIGNATURE DATE OF SHIPMENT

All shipments are subject to the terms contained in the UPS Tariff/Terms and Conditions of Service, which are available at UPS.com and local UPS offices. UPS COPY 0201952542609 6/12 RRD

Unless a greater value is recorded in writing on this section, the shipper agrees that the insured value of each package is the amount declared in writing on this receipt. In addition, the maximum value per package is \$50,000. The maximum liability per package shipped via a UPS Drop Box is \$500 per package. The maximum liability per package shipped via a UPS Mail Box is \$500 per package. The maximum liability per package shipped via a UPS Mail Station is \$500 per package. The maximum liability per package shipped via a UPS Store is \$500 per package. For complete details on the limitations of liability, see the UPS Tariff/Terms and Conditions at UPS.com.

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