



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

November 18, 2019

Mr. Lamar Grace
Simply Construction & Excavating, LLC
29519 Meadowland Drive
Southfield, MI 48076

Mr. Lamar Grace
Metropolitan Environmental Controls, LLC
32455 West 12 Mile Road
Farmington Hills, MI 48334

SRN: U631910206, Oakland County

Dear Mr. Grace:

VIOLATION NOTICE

On October 24, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of commercial property located at 20905 Mapleridge Avenue, Southfield. The purpose of this inspection was to determine Metropolitan Environmental Controls, LLC's and Simply Construction & Excavating, 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, Simply Construction & Excavating, LLC owned the facility. Metropolitan Environmental Controls, LLC is a state of Michigan licensed asbestos abatement contractor, license #: C48144. The NESHAP for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, AQD staff observed asbestos waste bags, improperly contained regulated asbestos containing materials, and construction debris of unknown origin on the property. Samples were collected during the inspection that tested positive for asbestos. Furthermore, landfills listed on submitted asbestos notifications did not have a record of receiving asbestos containing waste material from either company.

Process Description	Section Violated	Comments
Asbestos containing waste material (ACWM) stored out in the open in the yard of the facility.	40 CFR 61.145(c)(4); Simply Construction & Excavating, LLC Consent Judgment No. 19-0270-CE	Failure to contain in leak tight container-holes were observed in bags and some ACWM was not in leak tight containers
	40 CFR 61.150; Simply Construction & Excavating, LLC Consent Judgment No. 19-0270-CE	Failure to adequately wet asbestos containing waste material.
	40 CFR 61.150(a)(1)(v); Simply Construction & Excavating, LLC Consent Judgment No. 19-0270-CE	No generator labels on waste bags.
	40 CFR 61.150(b)(1); Simply Construction & Excavating, LLC Consent Judgment No. 19-0270-CE	Failure to deposit asbestos containing waste material as soon as practical at a Type II landfill.

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by December 9, 2019 (which coincides with 21 calendar days from the date of this letter). The 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; and what steps are being taken to prevent a reoccurrence.

Please submit the written response to Ms. Tammy Bell at EGLE, AQD, 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or bellt4@michigan.gov and submit a copy to Mr. Malcolm Mead-O'Brien, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or meadm1@michigan.gov.

If Simply Construction & Excavating, LLC and/or Metropolitan Environmental Controls, 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 violations cited above and for the cooperation that was extended to me during my inspection of 20905 Mapleridge Avenue

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Southfield. If you have any questions regarding the violations 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: Sample results
cc: Dr. Maria Calhoun, City of Southfield
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
Mr. Jeff Benya, EGLE
Ms. Wendy Lukianoff, EGLE