



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

September 3, 2021

Mr. Tony Yearego
Union Joints LLC
90 N. Main St.
Clarkston, MI 48346

Mr. Robert Doran II
Doran Excavating Inc.
PO Box 141
Clarkston, MI 48347

Mr. Kevin Denha
Lugo Properties LLC
700 N. Old Woodward Avenue, Suite 300
Birmingham, MI 48009

SRN: U632104211, Oakland County

Mr. Yearego, Mr. Denha and Mr. Doran:

VIOLATION NOTICE

On August 6, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of the residential structures located at 960/972/984 Oxford and 1036/1046 Eaton, Berkley. These structures were being demolished as part of a commercial parking lot expansion project. The purpose of this inspection was to determine 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, Union Joints LLC (1046 Eaton and all Oxford properties) and Lugo Properties LLC (1036 Eaton) owns the properties and Doran Excavating Inc. performed the demolition activities at the properties. The NESHAP for Asbestos holds both the owners and operator equally liable for violations.

During the inspection, AQD staff observed the following:
Five (5) residential structures at the same demolition site being demolished as part of a commercial parking lot expansion project. There was no Notification of Intent to Demolish on file and no asbestos survey information for the buildings was provided for the four (4) demolished structures. At the time of inspection three (3) homes had been completely demolished and disposed of. One (1) home was down and in a pile of rubble with an open hole (basement) and one (1) was standing and intact.

Mr. Tony Yearego, Union Joints LLC
Mr. Robert Doran II, Doran Excavating Inc.
Mr. Kevin Denha, Lugo Properties LLC
Page 2
September 3, 2021

| Process Description | Section Violated | Comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----------------------------------------------------------------------------------------------------------------|
| Demolition of four (4) residential structures (residential installation) to facilitate a commercial project without a Notification of Intent to Demolish/Renovate on file. | 40 CFR 61.145(b)(1) | Failure to provide 10 working day notification. |
| Demolition of four (4) residential structures (residential installation) to facilitate a commercial project without conducting the required thorough asbestos surveys. | 40 CFR 61.145(a) | Failure to thoroughly inspect for the presence of asbestos containing materials prior to demolition/renovation. |

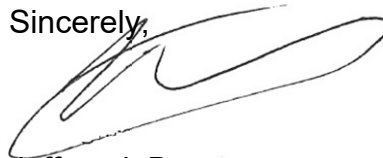
Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by September 24, 2021 (which coincides with 21 calendar days from the date of this letter). The response should include: the dates the violation occurred; an explanation of the 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 reoccurrence.

Please submit the written response to Jeffrey Benya at EGLE, AQD 3058 West Grand Boulevard, Suite 2-300 Detroit, Michigan 48202 or benyaj@michigan.gov and submit a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or wolfj2@michigan.gov.

If any party 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 properties listed. 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,



Jeffrey J. Benya
Environmental Quality Analyst
Air Quality Division
313-618-0372

Enclosures: NESHAP Fact Sheet, Sample results

Mr. Tony Yearego, Union Joints LLC
Mr. Robert Doran II, Doran Excavating Inc.
Mr. Kevin Denha, Lugo Properties LLC
Page 3
September 3, 2021

cc: 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