



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



PHILLIP D. ROOS
DIRECTOR

October 18, 2023

VIA USPS

Waheb Qarana
Registered Agent
AWQ Investment, LLC
5598 Hampshire Drive
West Bloomfield, Michigan 48322

Waheb Qarana
Registered Agent
AWQ Investment, LLC
101 West Big Beaver Road
Suite 1402
Troy, Michigan 48084

Raad Samona
Registered Agent
AR Samona Construction
7543 Greenway Lane
Waterford, Michigan 48327

ID: U632306568; Oakland County

Dear Waheb Qarana and Raad Samona:

VIOLATION NOTICE

On October 12, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection of the former commercial building located at 772 Cesar E. Chavez Avenue in Pontiac, Michigan. The purpose of this inspection was to determine the owner(s) and operator(s) compliance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR), 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, AWQ Investment, LLC owns the facility, and AR Samona Construction was listed as the contractor on the demolition permit issued by the City of Pontiac. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, AQD staff noted that the facility had been demolished without the submittal of the required 10-Day Notice of Intent to Renovate/Demolish.

Process Description	Section Violated	Comments
Demolition of an asbestos NESHAP subject commercial facility to construct a new building to be used as a marijuana provisioning center.	§61.145(b)(1)	Failure to provide 10 working day notification prior to demolition.

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If the required thorough inspection for asbestos was not conducted by a licensed building inspector prior to demolition, the following violations may have also occurred:

Process Description	Section Violated	Comments
Demolition of an asbestos-NESHAP subject commercial building located at 772 Cesar E. Chavez Avenue.	§61.145(a)(1)	Failure to thoroughly inspect for asbestos prior to demolition/renovation.
	§61.145(b)(2)	Failure to update notice.
	§61.145(b)(3)(i)	Failure to provide notice prior to asbestos work.
	§61.145(b)(4)(vi)	Failure to estimate the amount of Regulated Asbestos-Containing Material (RACM).
	§61.145(c)(1)	Failure to remove RACM.
	§61.145(c)(3)	Failure to wet during stripping.
	§61.145(c)(3)(iii)	Failure to keep written approval on-site.
	§61.145(c)(4)	Failure to contain in leak tight container.
	§61.145(c)(6)(i)	Failure to wet RACM that has been stripped.
	§61.145(c)(8)	No contractor supervisor on-site.
	§61.145(c)(9)	Failure to wet RACM during demolition.
	§61.145(c)(10)	Failure to remove RACM in building demolished by fire.
	§61.150(a)	Visible emissions from asbestos containing waste material generated by source.
	§61.150(a)(1)(ii)	Visible emissions from handling operations.
	§61.150(a)(1)(iii)	Failure to seal while wet.
	§61.150(a)(1)(v)	No generator labels.
	§61.150(b)(1)	Failure to deposit asbestos containing waste material as soon as practical.
§61.150(c)	No signs during loading and unloading.	

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by November 8, 2023 (which coincides with 21 calendar days from the date of this letter). The response should include:

- A copy of the asbestos survey that was conducted prior to demolition;
- A copy of records pertaining to asbestos abatement conducted at the facility, including notification submitted for asbestos abatement and landfill disposal records, if applicable;
- 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.

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The signed written response from the owner and operator to this violation notice may be submitted by mail and directed to the attention of Jeremy Howe, Supervisor, Technical Programs Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and e-mailed to HoweJ1@Michigan.gov.

If AWQ Investment, LLC and AR Samona Construction believe 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 violations cited for 772 Cesar E. Chavez Avenue, Pontiac. 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 Bell
Environmental Quality Specialist
Air Quality Division
313-330-0105

Enclosure: Asbestos NESHAP Fact Sheet

cc: Marijuana Regulatory Agency
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jeremy Howe, EGLE
Joyce Zhu, EGLE
Jenine Camilleri, EGLE
Jason Wolf, EGLE