



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GRETHUR
DIRECTOR

September 7, 2016

Ms. Beth Emat
City of Ypsilanti
Department of Economic Development
1 South Huron Street
Ypsilanti, Michigan 48198

SRN /ID: U811606419; Washtenaw County

Dear Ms. Emat:

SECOND VIOLATION NOTICE

On August 3, 2016, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD), performed an asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) inspection at 530 First Avenue, Ypsilanti, Washtenaw County. 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.

According to my investigation, Ms. Beth Emat of the City of Ypsilanti, Department of Economic Development, is the responsible person for the property, and Mr. Michael Kelly of Environmental Maintenance Engineers, Inc., is the contractor who performed the abatement activities. The abatement of the subject property occurred on August 2, 2016. The National Emission Standard for Asbestos holds both the owner and the operator equally liable for the violation.

During the inspection, staff observed the following: The subject property had Regulated Asbestos-Containing Material (RACM) in the form of duct wrap remaining in the basement after the scheduled project end date. The duct wrap was located on the basement floor and basement steps. Additionally, there was duct wrap still affixed to the duct work, located on the overhead flooring.

| Process Description | Section Violated | Comments |
|--|---------------------|-------------------------|
| Incomplete abatement of RACM in the residential structure located at 530 First Avenue, Ypsilanti, Washtenaw County. The planned renovation occurred on August 2, 2016. | 40 CFR 61.145(c)(1) | Failure to remove RACM. |

On August 8, 2016, the ADQ issued you a Violation Notice citing a violation discovered as a result of an inspection and requested your written response by August 29, 2016. The violation has been reiterate above for your convenience. As of this date we have not received a response with an adequate compliance plan addressing the violation that occurred on or about August 3, 2016.

Please be advised that failure to respond in writing and identifying the actions you will take or have taken to resolve the cited violation may result in escalated enforcement action by the AQD. Please provide the information requested in our August 8, 2016, letter by September 17, 2016, which corresponds with 10 calendar days from the date of this letter. The signed written response to this violation notice may be submitted by mail and directed to my attention at: DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909 or scanned and emailed as an attachment to me at: dechyc@michigan.gov.

If you believe the above observations or statements are inaccurate or do not constitute a violation of the applicable legal requirements cited, please provide appropriate 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 and phone conversation. If you have any questions regarding this violation notification or actions necessary to bring the facility into compliance, please contact me at 517-749-2891; dechyc@michigan.gov; or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

cc: Ms. Lynn Fiedler, MDEQ
Ms. Mary Ann Dolehanty MDEQ
Mr. Chris Ethridge, MDEQ
Mr. Scott Miller, MDEQ
Mr. Tom Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ