



GRETCHEN WHITMER
GOVERNOR

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

LANSING

LIESL EICHLER CLARK
DIRECTOR



October 26, 2021

UPS NEXT DAY DELIVERY

Mr. Sam Kafaei
KBG-Kafaei Building Group, LLC
P.O. Box 7162
Ann Arbor, Michigan 48107

Mr. Ladd Upell
Lakeside Construction
8676 Cherry Point Drive
Manitou Beach, Michigan 49253

SRN/ID: U812105401; Washtenaw County

Dear Mr. Kafaei and Mr. Upell:

VIOLATION NOTICE

On October 5, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection at 318 South Ashley, Ann Arbor, Washtenaw County. The purpose of this inspection was to determine 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 my investigation, KBG-Kafaei Building Group, LLC, is the owner of the former State Farm office building and Lakeside Construction performed the demolition activities. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the inspection, EGLE staff observed the following:

The former State Farm office building was demolished, and the site was paved with new asphalt and turned into a parking lot. The liable parties had failed to provide the Administrator with a 10-working day notification of Intent to Renovate/Demolish prior to the demolition activities.

Process Description	Section Violated	Comments
After reviewing the City of Ann Arbor's building permits, an inspection was made at 318 S. Ashley, Ann Arbor to determine compliance with the Asbestos NESHAP. Upon arrival, the building was demolished. No Notification of Intent to Renovate/Demolish was submitted to the administrator.	40 CFR §61.145(b)(1)	Failure to provide the Administrator with written notice.

VIOLATION NOTICE

Mr. Kafaei and Mr. Upell

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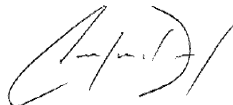
October 26, 2021

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by November 16, 2021, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) 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 date(s) by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The *signed* written response from the *owner and operator* to this violation notice, may be submitted by mail and directed to my attention at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. You must also include a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. The response may be scanned and emailed to DechyC@Michigan.gov and WolfJ2@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 extended to me during our phone conversations. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; or e-mail at DechyC@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Craig W. Dechy
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Karen Kajiya-Mills, EGLE
Mr. Scott Miller, EGLE
Mr. Jason Wolf, EGLE