



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DETROIT



C. HEIDI GREETHER  
DIRECTOR

February 2, 2017

Mr. Daniel Poota  
Luke's Excavating, Inc  
40700 Woodward Avenue  
Bloomfield Hills, MI 48304

7013 2630 0001 7816 9686

Ms. Patricia Gary  
City of Highland Park  
12050 Woodward Avenue  
Highland Park, MI 48203

7014 2870 0001 9216 6000

SRN: U821700098, Wayne County

Dear Mr. Poota and Ms. Gary:

**VIOLATION NOTICE**

On January 18<sup>th</sup>, 2017, the Department of Environmental Quality (DEQ), Air Quality Division, conducted an inspection of the residential property located at 139 Tennyson, Highland Park. The purpose of this inspection was to determine Luke's Excavating and the City of Highland Park's 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 our investigation, the city of Highland Park owns the facility and Luke's Excavating performed the demolition activities at the facility. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the inspection, staff observed that the house had been demolished prior to the start date listed on the 10 day notification of intent to renovate/demolish. It had been demolished on 1/16/2017, and start date listed on the Notification was 1/24/2017.

Process Description	Section Violated	Comments
Demolition of 139 Tennyson, Highland Park	§61.145(b)(4)(ix)	Failure to provide correct start date for demolition

Written response to this Violation Notice by February 23, 2017 (which coincides with 21 calendar days from the date of this letter) is required. The written response should include:

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- A copy of the asbestos survey conducted prior to the demolition;
- Submit a copy of the Notification of Intent to Renovate/Demolish for activities associated with the referenced violation;
- The dates the violation(s) occurred;
- An explanation of the causes and duration of the violations(s);
- Whether the violation(s) are ongoing;
- A summary of the actions that have been taken and are proposed to be taken to correct the violation(s) and the dates by which these actions will take place; and
- What steps are being taken to prevent a reoccurrence.

If Luke's Excavating or the city of Highland Park believes 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 violation cited above and for the cooperation that was extended to me during my inspection of 139 Tennyson, Highland Park, MI. 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,



Joseph Goeddeke  
Environmental Quality Analyst  
Air Quality Division  
517.331.7906

cc via e-mail Ms. Lynn Fiedler, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Ms. Karen Kajiya-Mills, DEQ  
Ms. Wilhemina McLemore, DEQ