



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



C. HEIDI GREYER
DIRECTOR

November 2, 2017

Mr. Windale Tate
Metropolis Excavating, Inc.
24724 Lasher Road
Southfield, MI 48033

Mr. Paul Lenowitz
Carrols Restaurant Group
968 James Street
Syracuse, NY 13217

SRN: U821708403, Wayne County

Dear Mr. Tate and Mr. Lenowitz:

VIOLATION NOTICE

On October 19, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of the former Burger King located at 25300 Michigan Avenue, Dearborn. The purpose of this inspection was to determine Carrols Restaurant Group'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, Carrols Restaurant Group owns the facility and Metropolis Excavating, Inc. performed 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 commercial building had been demolished without notification to the DEQ. An asbestos survey was conducted at the facility but in accessible, interior areas only.

Process Description	Section Violated	Comments
Demolition of the Burger King located at 25300 Michigan Avenue, Dearborn.	40 CFR 61.145(a)	Failure to thoroughly inspect for asbestos
	40 CFR 61.145(b)(1)	Failure to provide 10 working day notification

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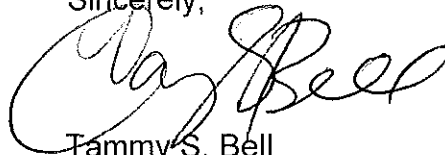
Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by November 23, 2017 (which coincides with 21 calendar days from the date of this letter). The written response should include:

- A completed 10-day notice of intent to demolish;
- 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;
- The dates by which these actions will take place; and
- What steps are being taken to prevent a reoccurrence.

If Metropolis Excavating, Inc. or Carrols Restaurant Group 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 violations cited above and for the cooperation that was extended to me during my inspection of 25300 Michigan Avenue, Dearborn. 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 S. Bell
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosures

cc: Mr. Kent Kirkman, KPS Construction
cc via email: Mr. Ken Foley, City of Dearborn
Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Wilhemina McLemore, DEQ