



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
DETROIT DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

March 11, 2020

Mr. Joseph Smalley
Smalley Construction, Inc.
1224 Locust Street
Jackson, Michigan 49203

SRN: U822000915, Wayne County

Dear Mr. Smalley:

VIOLATION NOTICE

On February 5, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted a referral inspection of the property located at 14435, 14445 and 14471 Livernois Ave., Detroit. The purpose of the inspection was to determine Smalley Construction, Inc.'s compliance with the requirements of Title 40 of the Code of Federal Regulations (CFR), Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAP), Subpart M and Rule 942 of the administrative rules promulgated under Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to our investigation, Smalley Construction, Inc. has been leasing the property located at 14435, 14445 and 14471 Livernois Ave., Detroit. Smalley Construction, Inc. has been demolishing asbestos NESHAP-subject residential and commercial properties in the City of Detroit. Concrete, brick and cinderblock from these demolitions was being stored on 14435 and 14445 Livernois Ave, Detroit.

During the inspection, AQD staff collected samples from the pile of concrete, brick and cinderblock. Non-friable asbestos containing materials including asphaltic coating on cinderblock, as well as a few pieces of floor tile and cement siding were identified in the pile. Building materials that contain asbestos cannot be sent to a crusher and must be properly disposed at a landfill.

Process Description	Section Violated	Comments
Category I and II asbestos containing materials were identified in a pile of concrete, brick and cinderblock to be sent for crushing off-site.	40 CFR 61.145(a)	Failure to thoroughly inspect for asbestos.

Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by April 1, 2020 (which coincides with 21

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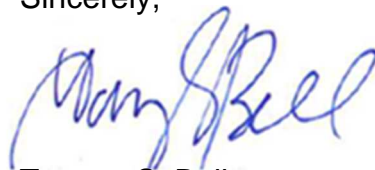
calendar days from the date of this letter). The response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the written response to Ms. Tammy Bell at EGLE, AQD 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 or bellt4@michigan.gov and submit a copy to Mr. Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or wolfj2@michigan.gov.

If Smalley Construction, Inc. believes the above observations or statements are inaccurate or do not constitute violations of the applicable legal requirements cited, please provide 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 us during our inspection of 14435, 14445 and 14471 Livernois Ave., Detroit. 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,



Tammy S. Bell
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosure

cc: Ms. Anita Harrington, City of Detroit BSEED
Mr. Paul Max, City of Detroit BSEED
Ms. Roxanne Eaton, MSHDA
Mr. Thomas Fett, DBA
Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Karen Kajiya-Mills, EGLE
Mr. Jason Wolf, EGLE
Dr. April Wendling, EGLE
Ms. Ann Vogen, EGLE