



GRETCHEN WHITMER  
GOVERNOR

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



PHILLIP D. ROOS  
DIRECTOR

November 20, 2023

VIA USPS

Jason Attisha  
9992 Gratiot, LLC  
32000 Northwestern Highway  
Suite 155  
Farmington Hills, Michigan 48334

Jesse Brown  
Brown Environmental Construction  
2389 East Outer Drive  
Detroit, Michigan 48234

ID: U822305706; Wayne County

Dear Jason Attisha and Jesse Brown:

**VIOLATION NOTICE**

On October 25, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted a complaint inspection during the demolition of a commercial building located at 9992 Gratiot Avenue, Detroit. The purpose of this inspection was to determine the owner's and operator'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, 9992 Gratiot, LLC owns the facility, and Brown Environmental Construction demolished the structure. The National Emission Standard for Asbestos holds both the owner and operator equally liable for the violation.

During the inspection, AQD staff identified and sampled suspected asbestos-containing materials at the site: two floor tile samples tested positive for asbestos. The asbestos survey conducted in August of 2023 for the demolition was reviewed and did not meet the requirements of a thorough inspection for asbestos. In addition, a separate asbestos survey conducted in October of 2022 for the facility identified asbestos containing materials that were not identified in the 2023 asbestos survey.

Process Description	Section Violated	Comments
Demolition of a commercial building located at 9992 Gratiot, Detroit	§61.145(a)	Prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable ACM.

## VIOLATION NOTICE

Jason Attisha and Jesse Brown

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Please initiate actions necessary to correct the cited violation and submit a signed written response to this Violation Notice by December 11, 2023 (which coincides with 21 calendar days from the date of this letter). The response should include:

- A copy of waste shipment records for removal of asbestos floor tile prior to demolition at the facility;
- 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.

The signed written response from the owner and operator to this violation notice may be submitted by mail and directed to the attention of Jeremy Howe, Supervisor, Technical Programs Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 and must include a copy to Jason Wolf, Enforcement Unit at the same address. The response may be scanned and e-mailed to [HoweJ1@Michigan.gov](mailto:HoweJ1@Michigan.gov) and [WolfJ2@Michigan.gov](mailto:WolfJ2@Michigan.gov).

If 9992 Gratiot, LLC and Brown Environmental Construction 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 for 9992 Gratiot, LLC, Detroit. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at [BelIT4@Michigan.gov](mailto:BelIT4@Michigan.gov) or at the number listed below.

Sincerely,



Tammy Bell  
Environmental Quality Specialist  
Air Quality Division  
313-330-0105

Enclosures: Asbestos NESHAP fact sheet, sample results

cc: Mark Baron, City of Detroit BSEED  
Crystal Rogers-Gilbert, City of Detroit BSEED  
Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Dr. April Wendling, EGLE  
Jeremy Howe, EGLE  
Jason Wolf, EGLE