

United States Environmental Protection Agency  
Region 5

IN THE MATTER OF: )  
 )  
 ) FINDING OF VIOLATION  
City Demolition )  
Detroit, Michigan ) EPA-5-00-MI-17  
 )  
 )  
Proceedings Pursuant to )  
the Clean Air Act, )  
42 U.S.C. §§ 7401 et seq. )

---

**FINDING OF VIOLATION**

The United States Environmental Protection Agency finds that Zebrowski & Associates, Incorporated has violated Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, Zebrowski & Associates, Incorporated has violated the National Emission Standards for Hazardous Air Pollutants (NESHAP) for asbestos at 40 C.F.R. part 61, subpart M as follows:

**Regulatory Authority**

1. The NESHAP for asbestos applies to the former commercial facility located at 5601 Michigan Avenue, Detroit, Michigan.
2. The NESHAP, at 40 C.F.R. § 61.145, requires the owner and operator of an affected facility to properly inspect the facility, notify of their intention to demolish or renovate the facility, and to properly remove all Regulated Asbestos-Containing Material (RACM) from the facility. Specifically:

Pursuant to 40 C.F.R. § 61.145(c)(8), no RACM shall be stripped, removed, or otherwise handled or disturbed at a regulated facility unless at least one onsite representative, such as a foreman or management-level person or other authorized representative, trained in the provisions of this regulation and the means of complying with them, is present.

Pursuant to 40 C.F.R. § 61.145(c)(9), each owner or operator of a demolition or renovation activity shall adequately wet the portion of the facility that contains RACM during the wrecking operation.

### Factual Background

3. Zebrowski & Associates, Incorporated is listed as the operator for the former commercial facility located at 5601 Michigan Avenue, Detroit, Michigan.

4. The Zebrowski & Associates, Incorporated facility (listed above) is subject to the requirements at 40 C.F.R. § 61.145. Pursuant to 40 C.F.R. § 61.145(a), the asbestos NESHAP applies to each "owner or operator" of a "demolition or renovation activity" at a "facility", as those terms are defined at 40 C.F.R. § 61.141. Specifically, the owner or operator must provide written intention to demolish or renovate at least 10 working days before any activity begins, and if the combined amount of RACM in a facility being demolished is at least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components or at least 1 cubic meter (35 cubic feet) of facility components where the length or area could not be measured previously, the procedures for emission control set forth at 40 C.F.R. § 61.145 shall apply.

### Violations

5. Specifically, Zebrowski & Associates, Incorporated is in violation of the asbestos NESHAP at the following facility as described below:

Former commercial facility, 5601 Michigan Avenue,  
Detroit, Michigan

Zebrowski & Associates, Incorporated, the operator of the former commercial facility at 5601 Michigan Avenue in Detroit, Michigan, failed to have present at least one onsite representative, such as a foreman or management-level person or other authorized representative, trained in the provisions of 40 C.F.R. Part 61, Subpart M, during the removal or disturbance of RACM. This is in direct violation of regulation 40 C.F.R. § 61.145(c)(8).

Zebrowski & Associates, Incorporated, the operator of the former commercial facility at 5601 Michigan Avenue in Detroit, Michigan, failed to adequately wet the portion of the facility that contains RACM during its

wrecking operation. This is in direct violation of regulation 40 C.F.R. § 61.145(c)(9).

8-23-00  
Date

  
Bharat Mathur, Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Finding of Violation, No. EPA-5-00-MI-17, by Certified Mail, Return Receipt Requested, to:

Edward T. Sullivan, President  
Zebrowski & Associates, Incorporated  
242 East Pearl Street  
Plymouth, Michigan 48170

I also certify that I sent copies of the Finding of Violation by first class mail to:

Timothy McGarry, Enforcement Unit Supervisor  
Compliance and Enforcement Section  
Michigan Department of Environmental Quality  
Air Quality Division  
P.O. Box 30260  
Lansing, Michigan 48909

Gerald Krawiec, District Supervisor  
Wayne County Department of Environment  
Air Quality Management Division  
640 Temple, Suite 700  
Detroit, Michigan 48201-2599

on the 24 day of August, 2000.



Shanee Rucker, Secretary  
AECAS, (MI/WI)  
(312) 886-6086

CERTIFIED MAIL RECEIPT NUMBER:

P664 397 118