



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



Keith Creagh
DIRECTOR

February 5, 2016

Certified Mail

Ms. Hope Mitchell
City of Muskegon
933 Terrace Street
Muskegon, Michigan 49440

Mr. Greg Jungman
Melching, Incorporated
16942 Woodland Drive
Nunica, Michigan 49448-9644

SRN: U611600328, Muskegon County

Dear Ms. Mitchell and Mr. Jungman:

VIOLATION NOTICE

On February 1, 2016, the Department of Environmental Quality (DEQ), Air Quality Division, received a complaint regarding fugitive dust emanating from a demolition occurring at 1254 (1258) Fifth Street, Muskegon, Muskegon County, Michigan. On February 1, 2016, DEQ personnel visited the subject property to investigate the complaint. The purpose of this investigation was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations, Part 61, Subpart M (National Emission Standard for Asbestos), and Rule 901 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to my investigation, Ms. Hope Mitchell of the City of Muskegon is the owner of the subject property and Mr. Greg Jungman of Melching, Incorporated is the contractor who has performed the demolition activities. The demolition activities occurred on or about February 1, 2016. The National Emission Standard for Asbestos holds both the owner and operator equally liable for violations.

During the investigation, staff observed the following:

Process Description	Section Violated	Comments
Fugitive dust emanating from a demolition of a residential structure located at 1254 (1258) Fifth Street in Muskegon, on or about February 1, 2016.	Rule 901	Failure to wet demolition debris in order to suppress fugitive dust which adversely impacted an adjacent city park

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Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by February 22, 2016 (which coincides with 21 calendar days from the date of this letter). The written 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. The signed written response to this violation notice may be submitted by mail and directed to my attention at; DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909 or scanned and emailed as an attachment to me at; dechyc@michigan.gov.

If you 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 above. If you have any questions regarding the violation notification or the actions necessary to bring this facility into compliance, please contact me at 517-749-2891; dechyc@michigan.gov; or DEQ, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Craig Dechy
Environmental Quality Analyst
Air Quality Division

cc: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Ms. Heidi Hollenbach, DEQ
Ms. Prudence Blue, DEQ
Mr. Thomas Hess, DEQ
Ms. Karen Kajiya-Mills, DEQ