



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYER
DIRECTOR

September 17, 2018

Chief Christopher Dean
Muskegon Heights Fire Department
2715 Baker Street
Muskegon Heights, Michigan 49444

Mr. Tim Burgess
Muskegon County Land Bank Authority
173 East Apple Avenue
Muskegon, Michigan 49442

ID: U611805073, Muskegon County

Dear Chief Dean and Mr. Burgess:

SECOND VIOLATION NOTICE

On July 30, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) performed an asbestos inspection at 3019 Peck Street, Muskegon, Michigan. The purpose of this inspection 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 942 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451).

On August 14, 2018, the AQD sent the Muskegon Heights Fire Department and Muskegon County Land Bank Authority a Violation Notice (VN) citing a violation discovered because of the inspection and requested the Company's written response by September 4, 2018. A copy of this VN has been enclosed for your reference. As of the date of this letter, the AQD has not received a written response to the cited violation.

Please be advised that failure to respond in writing and identifying actions the Muskegon County Land Bank Authority and Muskegon County Land Bank Authority will take or has taken to resolve the cited violation may result in an escalated enforcement action by the AQD. Please provide the information requested in the VN dated August 14, 2018, by **October 1, 2018**, which corresponds to 14 days from the date of this letter.

Chief Christopher Dean and Mr. Tim Burgess

Page 2

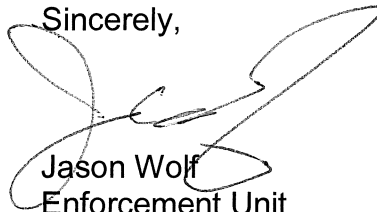
September 17, 2018

The written response must be submitted to Mr. Jeremiah Brown, AQD, at DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909, and must also include a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at the DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760. Or the response may be scanned and sent to brownj9@michigan.gov and camillerij@michigan.gov.

Be further advised that issuance of this Violation Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under state or federal law as appropriate.

If you have any questions regarding this matter or the actions necessary to come into compliance, please contact me at the number listed below.

Sincerely,



Jason Wolf
Enforcement Unit
Air Quality Division
517-284-6772

cc/via e-mail: Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Karen Kajiya-Mills, DEQ
Ms. Heidi Hollenbach, DEQ
Mr. Jeremiah Brown, DEQ
Ms. Jenine Camilleri, DEQ



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STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREETHER
DIRECTOR

August 14, 2018

COPY

Chief Christopher Dean
Muskegon Heights Fire Department
2715 Baker Street
Muskegon Heights, Michigan 49444

Mr. Tim Burgess
Muskegon County Land Bank Authority
173 East Apple Avenue
Muskegon, Michigan 49442

SRN / ID: U611805073; Muskegon County

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VIOLATION NOTICE

On July 30, 2018, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) performed an asbestos inspection at 3019 Peck Street, Muskegon, Muskegon County, Michigan. The purpose of this inspection 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 942 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451).

According to our investigation, Muskegon Heights Fire Department was the operator who conducted the demolition activities, and the Muskegon County Land Bank is the property owner of the addressee mentioned above. The National Emission Standard for Asbestos holds the owner and operator liable for all violations.

During the investigation staff observed/discovered the following:

The subject property at 3019 Peck Street had several holes placed in load bearing/structural basement walls and in asbestos containing plaster covered walls in the interior of the structure. There was no Scheduled Demolition notification submitted by the fire department for the demolition of these basement walls. It was my understanding that the holes that were placed in the basement and interior walls were for a training exercise. The asbestos containing plaster walls were not abated prior to the fire department training.

Chief Christopher Dean
Mr. Tim Burgess
Page 2
August 14, 2018

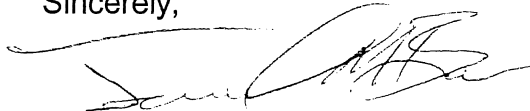
Process Description	Section Violated	Comments
Failure to provide a 10-working day notification before demolition of structural/load bearing walls.	§61.145(b)(1)	Failure to provide 10 working day notification.

Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by September 4, 2018, (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) 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 date(s) by which these actions will take place; and what steps are being taken to prevent a reoccurrence. The signed written response from owner and operator 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 may be scanned and sent as an email attachment to brownj9@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 and for the cooperation extended to me during our meeting and emails. If you have any questions regarding the violation notice or the actions necessary to bring this facility into compliance, please contact me at 517-599-7825; brownj9@michigan.gov; or DEQ AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Jeremiah Brown
Environmental Quality Analyst
Air Quality Division

cc: Ms. Mary Ann Dolehanty, DEQ
Mr. Craig Fitzner, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Heidi Hollenbach, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ