



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

July 21, 2022

UPS NEXT DAY DELIVERY

Matt Swidorski
Swidorski Bros. Excavating, LLC
4786 Red Apple Road
Manistee, Michigan 49660

Eugene Magnuson
Little River Holdings, LLC
2608 Government Center Drive
Manistee, Michigan 49660

SRN/ID: U512203241; Manistee County

VIOLATION NOTICE

Dear Matt Swidorski and Eugene Magnuson:

On July 11, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 284 River Street; 285 River Street; 289 River Street; 294 River Street; 295 River Street; and 305 River Street, Manistee, Manistee County, Michigan. The purpose of these inspections were to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR), 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 my investigation, Little River Holdings, LLC owns the subject property and Swidorski Bros. Excavating, LLC performed the demolition activities. The National Emission Standard for Asbestos holds both the *owner and operator* equally liable for any violations.

During the inspection, staff observed the following:

Swidorski Bros. Excavating, LLC had been contracted to demolish six commercial buildings, three of which were already completed. The general contractor, Pioneer Construction, stated that an asbestos building survey had been completed on all buildings, all necessary asbestos abatement was completed, and all local permitting was obtained. The NESHAP 10-day notification for demolition was not submitted prior to the start of demolition.

Process Description	Section Violated	Comments
On 7/11/22, staff performed a demolition inspection at 284, 285, 289, 294, 295, and 305 River Street, Manistee, MI.	40 CFR 61.145 (b)(1)	Failure to provide 10-working day notification prior to demolition.

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Please initiate actions necessary to correct the cited violation and submit a written response to this violation notice by July 11, 2022, (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.

Please submit the signed written response to Steven Kidder at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or scan and email as an attachment to me at KidderS@Michigan.gov and submit a copy to Jason Wolf, Enforcement Unit at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or WolfJ2@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 that was extended to me during our conversations about the site. If you have any questions regarding the violation notification or the actions necessary to bring this facility into compliance, please feel free to contact me at 517-243-4492; KidderS@Michigan.gov; or EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Sincerely,



Steven Kidder
Environmental Quality Analyst
Air Quality Division

cc: Mary Ann Dolehanty, EGLE
Eduardo Olaguer, EGLE
Chris Ethridge, EGLE
Jeremy Howe, EGLE
Shane Nixon, EGLE
Jason Wolf, EGLE