



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
AIR QUALITY DIVISION



PHILLIP D. ROOS
DIRECTOR

December 2, 2024

VIA USPS

Chief David Ogren
North Muskegon Fire Department
1102 Ruddiman Drive
North Muskegon, Michigan 49445

Matt Gongalski
722 Ruddiman Drive
Muskegon, Michigan 49445

SRN/ID: U612406383; Muskegon County

Dear David Ogren and Matt Gongalski:

VIOLATION NOTICE

On November 7, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) conducted an inspection of a commercial building located at 700 Witham Road, Muskegon, Muskegon County.

The purpose of this inspection was 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 our investigation, Matt Gongalski is the owner and North Muskegon Fire Department conducted demolition activities via a Training Burn at the site. The National Emission Standard for Asbestos (NESHAP) holds the *owner and operator* liable for all violations.

During the investigation staff observed the following:

The subject structure located at 700 Witham Road was demolished by fire. According to the Fire Chief there was no asbestos inspection conducted, or a 10 working-day notification was submitted prior to the training burn activities.

Process Description	Section Violated	Comments
Failure to provide 10 working day notification.	40 CFR §61.145(b)(1)	Failed to submit a 10-working day notification prior to demolition of subject building.
Failure to have an Asbestos Survey conducted prior to demolition activities.	40 CFR §61.145(a)	Failure to thoroughly inspect for asbestos.

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Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by December 23, 2024 (which coincides with 21 calendar days from the date of this letter). The written response should include: the date(s) the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations, 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 to this violation notice may be submitted by mail and directed to the attention of Jeremiah Brown, Asbestos 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 BrownJ9@Michigan.gov and 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 extended to me during our conversation. 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; e-mail at BrownJ9@Michigan.gov; or the post office box address provided in the paragraph above.

Sincerely,



Jeremiah Brown
Senior Environmental Quality Analyst
Air Quality Division

Attachment: NESHAP Fact Sheet

cc: Annette Switzer, EGLE

Christopher Ethridge, EGLE

Brad Myott, EGLE

Heidi Hollenbach, EGLE

Tammy Bell, EGLE

Jason Wolf, EGLE