



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

January 7, 2022

Mr. Matt Mowinski, Owner
Royalty Services, Incorporated
11339 East Silver Lake Road
Byron, Michigan 48418

SRN: U252106413, Genesee County

Dear Mr. Mowinski:

VIOLATION NOTICE

On December 6, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of a property belonging to you, located across the road from 9285 Duffield Road, Gaines, Michigan. The purpose of this inspection was to determine Royalty Services, Inc.'s compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); the Air Pollution Control Rules; and to investigate a recent complaint which we received on November 29, 2021, regarding open burning attributed to this site.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Ash piles from open burning, adjacent to demolition debris	Rule 310	Open burning of demolition debris

On December 6, 2021, Mr. Craig Dechy of AQD's Technical Programs Unit, observed ashes adjacent to piles of demolition debris, indicating that open burning of demolition material had taken place across from 9285 Duffield Road, in Gaines. This constitutes a violation of Rule 310 of the administrative rules promulgated under Act 451, which prohibits open burning of construction and demolition debris.

In order to comply with Rule 310, you are advised to immediately discontinue any open burning.

EGLE encourages the reuse and the recycling of wastes whenever possible. However, any waste that cannot be reused or recycled must be properly disposed of in accordance with Part 115, Solid Waste Management, Section 11512(1) of Act 451. Solid waste and air regulations prohibit the open burning of demolition debris, including untreated wood. Additionally, if you decide to incinerate your waste, it must be incinerated in a properly designed incinerator. An approved permit must be obtained from EGLE before commencing installation of any incinerator. An application form is available by request, or at the following website: www.michigan.gov/air (in the shaded box on the upper right-hand side of the page)

Mr. Matt Mowinski
Royalty Services Incorporated
Page 2
January 7, 2022

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by January 28, 2022, (which coincides with 3 weeks 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 written response to EGLE, AQD, Lansing District, at Constitution Hall, P.O. Box 30242, Lansing, Michigan 48909 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If you believe the above observations or statements are inaccurate or do not constitute violations 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 your cooperation on this issue. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below, or at mcgeend@michigan.gov.

Sincerely,



Daniel A. McGeen
Environmental Quality Analyst
Air Quality Division
517-648-7547

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Brad Myott, EGLE

Mr. Bryan Grochowski, EGLE
Mr. David LaBrecque, EGLE