



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



C. HEIDI GREYHER
DIRECTOR

January 8, 2018

Mr. Jim Novak
Summers Road Gravel & Development, L.L.C.
3620 Van Dyke Road
Almont, Michigan 48003

SRN: U441708621, Lapeer County

Dear Mr. Novak:

VIOLATION NOTICE

On November 30, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) received a complaint alleging the ongoing burning of solid waste at the Summers Road Gravel & Development, L.L.C. gravel pit located at 1220 Summers Road, Goodland Township. The purpose of this letter is to determine Summers Road Gravel & Development'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.

Following the complaint, staff determined the following:

Process Description	Rule/Permit Condition Violated	Comments
Open burning of waste material including plastic bucket	Rule 310	Open burning of waste material at a business.

On December 15, 2017, AQD staff received a copy of a fire report from the Goodland Township Fire Department. It indicated that during their response to the incident, fire department personnel observed the burning of what were described as non-natural materials, including plastics. This constitutes a violation of Act 451, Rule 310 which prohibits open burning of refuse, garbage, or any other waste material at any business or commercial operation.


In order to comply with Rule 310, Summers Road Gravel & Development is advised to refrain from inappropriate open burning.

The DEQ 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 Act 451, Part 115, Solid Waste Management, Section 11512(1). Additionally, if Summers Road Gravel & Development decides to incinerate their waste, it must be incinerated in a properly designed incinerator. An approved permit must be obtained from the DEQ before commencing installation of any incinerator. An application form is available by request, or at the following website: www.michigan.gov/deqair (in the shaded box on the upper right hand side of the page).

AQD recently received your December 20, 2017 letter, which responds to a November 28, 2017 Open Burning Notification Letter sent from AQD to Novak's Supply & Equipment, about past alleged open burning. In your letter, you provided an explanation of the November 30, 2017 burning incident, and clarified that Novak's Supply & Equipment has the same owner as Summers Road Gravel & Development, but was not associated with the burning incident. Because AQD has received this letter, no further written response on this issue is required.

Thank you for your cooperation in this matter. If you have any questions regarding air pollution regulations, please feel free to contact me.

Sincerely,



Daniel A. McGeen
Environmental Quality Analyst
Air Quality Division
517284-6638

DAM:TG

cc/via e-mail: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Mr. Brad Myott, DEQ