



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

May 10, 2021

Mr. Nick Totzke
Totzke Farms LLP
2779 West John Beers Rd
Stevensville, Michigan 49127

SRN: U142102218, Cass County

Dear Mr. Totzke:

VIOLATION NOTICE

On May 5, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Totzke Farms located at 66061 M-62, Edwardsburg, Michigan. The purpose of this inspection was to determine Totzke Farms 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 May 5, 2021, regarding open burning and fugitive dust/black smoke attributed to Totzke Farms operations.

- RULE 310: OPEN BURNING

On May 5, 2021, AQD staff observed

- open burning of refuse and other waste material at Totzke Farms.
- a burning barrel with burnt plastic/cardboard/trash/business or industrial waste in it.

This constitutes a violation of Rule 310 of the administrative rules promulgated under Act 451, 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, Totzke Farms is 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. Additionally, if Totzke Farms decides to incinerate their 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. Nick Totzke
Totzke Farms, LLP
Page 2
May 10, 2021

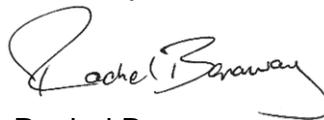
Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by June 1, 2021 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes 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 written response to EGLE, AQD, Kalamazoo District, at 7953 Adobe Rd, Kalamazoo, Michigan 49009 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Totzke Farms believes 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 the cooperation that was extended to me during my inspection of Totzke Farms. 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.

Sincerely,



Rachel Benaway
Environmental Quality Analyst
Air Quality Division
269-370-2170

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