



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GREYER
DIRECTOR

September 30, 2016

Ms. Karen Manley
4701 Towerline Road
Hale, Michigan 48739

SRN: U35070229, Iosco County

Dear Ms. Manley:

SUBJECT: Dirty Fog Complaint

The Department of Environmental Quality (DEQ), Air Quality Division (AQD), Saginaw Bay District Office has received your complaint of a dirty fog, which is making you and your family sick. The location of concern provided is 4701 Towerline Road, Hale, Michigan.

Staff have been out to this location and the surrounding properties in an attempt to try to identify the source of odors or emissions which may, under seasonal weather conditions, lead to the complaint situation you have identified. The initial investigations failed to identify any commercial or industrial activities that may have created an issue. Two other possible sources that, under foggy or atmospheric inversions common this time of year, may be exacerbated are: open burning activities by private residents and agricultural odor sources.

If open burning for waste disposal is occurring, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451) R 336.1310, prohibits open burning and reads as follows:

- 1) Rule 310. (1) A person shall not cause or permit open burning of refuse, garbage, or any other waste materials, except for the burning of the following:
 - (a) Waste disposal of material from and at 1 or 2-family dwellings that does not contain plastic, rubber, foam, chemically treated wood, textiles, electronics, chemicals, or hazardous materials, if the burning does not violate any other department rules.
 - (b) Structures and other materials used exclusively for fire prevention training.
 - (c) Trees, logs, brush, and stumps in accordance with applicable state and local regulations if the burning is not conducted within a Priority I area as listed in Table 33, a Priority II area as listed in Table 34, nor closer than 1,400 feet to an incorporated city or village limit and if the burning does not violate any other department rules.
 - (d) Bee keeping equipment and products, including frames, hive bodies, hive covers, combs, wax, and honey, if burned for bee disease control.
 - (e) Logs, brush, charcoal, and similar materials that are used in preparing food or for recreation.

- (f) Wooden fruit or vegetable storage bins constructed from untreated lumber if both of the following requirements are met:
 - (i) The burning is conducted for disease or pest control
 - (ii) The burning is not conducted at any of the following locations:
 - (A) Within a priority I area as listed in table 33 or a priority II area as listed in table 34.
 - (B) In a city or village
 - (C) Within 1400 feet outside the boundary of a city or village.
- 2) The exceptions specified in sub rule (1) of this rule do not authorize open burning if prohibited by local law or regulation.

The burning of material may also be an additional violation of Section 115 of Act 451, which prohibits the disposal of solid waste other than at a licensed solid waste disposal, recycling, or composting facility. The AQD does not regulate open burning by residences. If this is the issue, please contact the local fire department, township, or city regulatory authority.

Additional information and more can be found at the DEQ's open burning web site at www.michigan.gov/deqair (choose "Clean Air Assistance" from the menu on the left side of the screen). A list of licensed landfills is provided on the DEQ internet at www.michigan.gov/deqwaste (select "Solid Waste" from the menu on the left side of the screen, and then "Solid Waste Facilities"). A list of recycling centers is provided on the DEQ internet at www.michigan.gov/deqrecycling (select the "At Home" Tab and "Local Contacts").

If you believe that it is an agricultural source, you should contact staff at the Michigan Department of Agriculture and Rural Development (MDARD) at 1-800-292-3939. They should be able to direct you to the proper contact person. I have also enclosed MDARD contact information that may be of use.

If you have any questions or comments, or have additional information that may aid us in determining the source of the issue, you may contact me at the number listed below or at leblancs@michigan.gov.

Sincerely,



Sharon G. LeBlanc
Environmental Quality Analyst
Air Quality Division
Saginaw Bay District Office
(989) 894-6212

Enclosure