



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

January 29, 2020

Mr. Dwayne Ring  
315 Hayes Street NW  
Comstock Park, Michigan 49321

Mr. Rob Cortis  
Cortis Excavating and Trenching  
1410 Seven Mile Road  
Comstock Park, Michigan 49321

SRN: U412000193 , Kent County

Dear Mr. Ring and Mr. Cortis:

**VIOLATION NOTICE**

On January 14, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) and Environmental Investigation Section (ESC), conducted an inspection of several vacant buildings located at 341 Hayes Street NW, Comstock Park, Michigan. The purpose of this inspection was to determine Mr. Ring and Mr. Cortis' compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control and Solid Waste Management, 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 was received on January 14, 2020, regarding open burning attributed to demolition operations.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Open Burning	Air Pollution Control, Rule 310	Burning of demolition materials.
Open Burning	Solid Waste Management, Part 115, Section 11509 and 11512	Burning of demolition materials.

On January 14, 2020, AQD and ESC staff observed burning of demolition materials from structures in the process of being demolished onsite. 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. Additionally, this is a violation of Section 11509 and 11512 of Part 115 - Solid Waste Management of the Natural Resources and Environmental Protection Act (NREPA), PA 451 1994, as amended (Part 115). Part 115 requires disposal of construction and demolition waste at a properly permitted and licensed disposal facility.

In order to comply with Rule 310 and Sections 11509 and 11512, Mr. Cortis and Mr. Ring are advised to immediately discontinue any open burning of the demolition material.

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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 Mr. Cortis or Mr. Ring 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](http://www.michigan.gov/air) (in the shaded box on the upper right-hand side of the page).

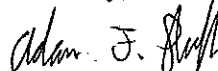
Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by February 19, 2020 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the 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 written responses to EGLE, AQD, Grand Rapids District, at 350 Ottawa Avenue NW, Unit 10, Grand Rapids, Michigan 49503, and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Mr. Cortis or Mr. Ring 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 the vacant buildings located at 341 Hayes Street NW, Comstock Park, Michigan. 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,



Adam Shaffer  
Environmental Quality Analyst  
Air Quality Division  
616-970-9077

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Christopher Ethridge, EGLE  
Ms. Heidi Hollenbach, EGLE  
Mr. Tim Unseld, EGLE