



STATE OF MICHIGAN  
 DEPARTMENT OF ENVIRONMENTAL QUALITY  
 SOUTHEAST MICHIGAN DISTRICT OFFICE



RICK SNYDER  
 GOVERNOR

DAN WYANT  
 DIRECTOR

September 2, 2015

Mr. Bill Rudd  
 Supervisor - Maintenance  
 Fitzgerald Public Schools  
 23200 Ryan  
 Warren, MI 48091

SRN: U501509175, Macomb County

Dear Mr. Rudd:

**VIOLATION NOTICE**

On August 24, 2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Chatterton Middle School located at 24333 Ryan, Warren, Michigan. The purpose of this inspection was to determine Chatterton Middle School'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); and the administrative rules.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Institutional waste incinerator	R336.1201	The incinerator is operating without an approved Michigan Department of Environmental Quality Air Permit.

**RULE 201 VIOLATION**

During this inspection, it was noted that Chatterton Middle School had installed and commenced operation of an unpermitted institutional waste incinerator at this facility. The AQD staff advised Chatterton Middle School on September 1, 2015, that this is a violation of Act 451, Rule 201.

A program for compliance may include a completed PTI application for the institutional waste incinerator process equipment. An application form is available by request, or at the following website:

[http://www.deq.state.mi.us/aps/nsr\\_information.shtml](http://www.deq.state.mi.us/aps/nsr_information.shtml)

Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

In addition to the violation cited above, be advised the AQD is developing a state plan for the operation of very small incineration units to comply with federal rule 40 CFR 60, Subpart FFFF, Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004. Though Chatterton Middle School is not currently receiving a violation notice for 40 CFR 60, Subpart FFFF, it appears the incinerator will be subject to the requirements of this rule after it has been finalized and approved. This regulation specifies very stringent operation and emission requirements for your incinerator, which may make it cost-prohibitive to continue to operate, and includes the following principal components:

- Waste Management Plan requirements
- Operator Training and Qualification requirements
- Emission Limitations and Operating Limits
- Initial and Annual Performance Testing requirements
- Initial and Continuous Compliance Requirements
- Monitoring requirements (e.g., install, calibrate, maintain, and operate continuous emission monitoring systems for carbon monoxide and for oxygen)
- Recordkeeping and reporting requirements (e.g., semi-annual and annual reports)
- Title V Requirements (e.g., obtain an ROP pursuant to Rule 211(1)(c) and pay associated annual fees)

#### RESPONSE/COMPLIANCE PROGRAM/CONCLUSION

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by September 23, 2015 (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.

If Chatterton Middle School 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 Chatterton Middle School. 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,



Kerry Kelly  
Environmental Quality Analyst  
Air Quality Division  
586-753-3746

cc/via e-mail: Ms. Lynn Fiedler, DEQ  
Ms. Teresa Seidel, DEQ  
Mr. Thomas Hess, DEQ  
Mr. Christopher Ethridge, DEQ