



GRETCHEN WHITMER  
GOVERNOR

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



PHILLIP D. ROOS  
DIRECTOR

March 27, 2024

Keith Folkert  
Maintenance Facility  
Hamilton Middle School  
4845 136th Ave  
Hamilton, MI 49419

SRN: U032401728, Allegan County

Dear Keith Folkert:

**VIOLATION NOTICE**

On March 14, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), investigated an open burn in the field near the maintenance facility of Hamilton Middle School (4845 136th Ave, Hamilton, MI 49419). The purpose of this investigation was to determine the facility’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 regarding open burning of prohibited materials attributed to the facility’s operations.

During the investigation, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Burn pile on property	R 336.1310 (Rule 310)	Confirmed a burn pile of prohibited material on the property, including but not limited to furniture with plastic lamination, three deer carcasses, and several wooden pallets.

On March 14, 2024, AQD staff observed open burning of refuse and other waste material at the facility. We were informed by Dave Lampen, who was overseeing the fire, that this is a yearly open burn. 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.

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In order to comply with Rule 310, the facility is advised to immediately discontinue any future 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 Hamilton Middle School 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:  
<https://www.michigan.gov/egle/about/organization/air-quality/air-permits/new-source-review/guidance>.

Enclosed is a document that outlines the Open Burning Regulations in Michigan. Additional information can be found at:

- Burning information: [Michigan.gov/Openburning](https://www.michigan.gov/Openburning)
- General air quality information: [Michigan.gov/Air](https://www.michigan.gov/Air)
- A List of licensed landfills: [Michigan.gov/egle](https://www.michigan.gov/egle) (under the "About Us" tab, choose "Divisions and Offices", select "Materials Management", scroll down and click on "Solid Waste" then scroll down and choose "Solid Waste Disposal Areas").
- A List of recycling centers: [Michigan.gov/eglerecycling](https://www.michigan.gov/eglerecycling)

Please initiate actions necessary to correct the cited violation(s) and submit a written response to this Violation Notice by April 17, 2024 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation(s) occurred; an explanation of the causes and duration of the violation(s); whether the violation(s) are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation(s) 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 Mariah Scott at EGLE, AQD, Kalamazoo District, at 7953 Adobe Rd, Kalamazoo, Michigan 49009 or [ScottM29@michigan.gov](mailto:ScottM29@michigan.gov) and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Hamilton 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.

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Thank you for your attention to resolving the violation(s) cited above and for the cooperation that was extended to me during my inspection of Hamilton Middle School. If you have any questions regarding the violation(s) or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Mariah Scott  
Environmental Quality Analyst  
Air Quality Division  
517-899-3519

Enclosure

cc: Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Jenine Camilleri, EGLE  
Monica Brothers, EGLE  
Cody Yazzie, EGLE  
Aaron Keatley, EGLE  
Karen Shaler, EGLE