



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
KALAMAZOO DISTRICT OFFICE



KEITH CREAGH
DIRECTOR

February 24, 2016

Mr. Dan Balkema, President
Balkema Excavating, Inc.
1500 River Street
Kalamazoo, Michigan 49048

SRN: U39090291, Kalamazoo County

Dear Mr. Balkema:

REVISED VIOLATION NOTICE

On February 3, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted a complaint investigation of vacant property located in the 3000 block of M-140, south of Watervliet, Berrien County, Michigan. The purpose of this investigation was to determine 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 administrative rules; and to investigate a recent complaint that the DEQ, AQD, received on February 3, 2016, regarding smoke and foul odors attributed to open burning operations.

During the investigation, staff of the AQD observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Open burning of brush, trees, and stumps	Rule 336.1901 of Part 55 of Act 451	See comment below

Comment: In AQD staff's professional judgement, it was determined that the intensity of the smoke and odor being generated by the open burning was causing an unreasonable interference with the comfortable enjoyment of life and property at the residences directly downwind of the burning.

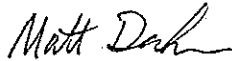
Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by March 15, 2016. The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; 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 Balkema Excavating 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.

Mr. Dan Balkema
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Thank you for your attention to resolving the violation cited above. If you have any questions regarding the violation or the actions necessary to bring this complaint into compliance, please contact me at the telephone number listed below.

Sincerely,



Matt Deskins
Environmental Quality Analyst
Air Quality Division
269-567-3542

MD:CF

cc: Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Ms. Heidi Hollenbach, DEQ
Mr. Thomas Hess, DEQ
Ms. Mary Douglas, DEQ