



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

May 7, 2021

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Jim Novak, Owner
Novak's Supply and Equipment
3620 South Van Dyke Road
Almont, Michigan 48003

ID: U442102125, Lapeer County

Dear Mr. Novak:

VIOLATION NOTICE

On May 3, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Remediation & Redevelopment Division (RRD), conducted an inspection of Novak's Supply and Equipment located at 3620 S. Van Dyke Road, Almont, Michigan. The purpose was to investigate a recent complaint which EGLE received on May 1, 2021, regarding open burning attributed to Novak's Supply and Equipment's operations. As a result of the inspection by RRD's Eric Van Riper, EGLE's Air Quality Division (AQD) has determined Novak's Supply and Equipment's was not in 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 Air Pollution Control Rules.

During the inspection, staff observed the following:

| Process Description | Rule/Permit Condition Violated | Comments |
|---|--------------------------------|--|
| Open burning of solid waste materials at a business | Rule 310 | Open burning of pallets, cardboard, and tires. |

On May 3, 2021, RRD staff observed that open burning of waste materials had occurred at 3620 S. Van Dyke Road, in Almont. Communication with the Almont Township Fire Department indicated that open burning of cardboard and wooden pallets on May 1, 2021, had spread to a pile of tires stored 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.

In order to comply with Rule 310, Novak's Supply and Equipment is advised to immediately discontinue any 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.

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Additionally, if Novak's Supply and Equipment 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 (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 May 28, 2021 (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 the written response to EGLE, AQD, Lansing District, at P.O. Box 30242, Lansing, Michigan 48909-7742 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Novak's Supply and Equipment 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 RRD during their inspection of Novak's Supply and Equipment. 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,



Daniel A. McGeen
Environmental Quality Analyst
Air Quality Division
517-648-7547

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Brad Myott, EGLE