



UP KUBOTA
4250 US HWY 41 WEST
MARQUETTE, MI 49855
PHONE: (906) 451-5700

Friday December 4, 2020

Mr. Ed Lancaster
Marquette District Supervisor
Air Quality Division
1504 West Washington Street
Marquette, MI 49855

RE: UP Kubota VIOLATION NOTICE RULE 310 ACT 451 DEPARTMENT OF ENVIRONMENT

Dear Mr. Ed Lancaster:


Thank you for calling me to clarify your position with the State of Michigan Department of Environment, Great Lakes, and Energy. We fully understand your presentation of Rule 310 Act 451, which prohibits open burning of refuse, garbage, or any other waste material at any business or commercial operation. We also now fully understand that this ruling applies to all of our companies operating in Michigan regardless of which city, township, or county it resides in. This was an area of confusion for us as we were granted permission to partake in natural products burning such as brush, wood, or leaves per several township and DNR parties that indicated these were permissible activities by their standards. Given your clarification, we will partake in absolutely zero open burning of any product, at any time, at any commercial location we own in Michigan.

Since we opened for business in Michigan in 2004, we have always had 1 large garbage dumpster, 1 recyclable bin, and have disposed of our waste oils, tires, and other environmentally unfriendly items with reputable companies. I have attached some invoices in order to clarify the means in which we have disposed, and plan to continue to dispose, these non-environmentally friendly items. We understand our responsibility as a business to set and follow appropriate action plans for every type of waste we create.

Thus, in reaction to your letter dated September 30, 2020, we needed to develop an appropriate plan for our brush, wood, and leave waste. We should not have been burning those items on September 23, 2020. In the future, we will be taking all natural waste items to the landfill. We have established this new process of landfill disposal for natural waste items and have communicated it with our staff via policy 8.3.989 in our Ride North© policies and procedures manual. The staff has signed off on this procedure and will be terminated if found to ever break this policy. We understand that as a company we will be responsible for the consequences of any open burning, at any location, in Michigan.

If you have any questions, please call me at (906) 284-0238 or email me at sarah@ironmtpowersports.com.

Sincerely,


Sarah Wolfenber
Owner