



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

LANSING

EGLE
LIESL EICHLER CLARK
DIRECTOR

October 30, 2020

UPS NEXT DAY DELIVERY

Mr. Jordan Wolfenberg
UP Kubota
4250 West US Highway 41
Marquette, Michigan 49855

ID: U522003421; Marquette County

Dear Mr. Wolfenberg:

SECOND VIOLATION NOTICE

On September 23, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) staff observed open burning of refuse and other waste material at UP Kubota located at 4250 West Highway 41, Marquette, Michigan. This constitutes a violation of Mich Admin Code, R 336.1310 (Rule 310), which prohibits open burning of refuse, garbage, or any other waste material at any business or commercial operation.

On September 30, 2020, the AQD sent the Company a Violation Notice (VN) citing a violation of Rule 310. The AQD requested the Company's written response by October 21, 2020. A copy of this VN has been enclosed for your reference. As of the date of this letter, the AQD has not received the Company's written response to the cited violations.

Please be advised that failure to respond in writing and identifying actions the Company will take or has taken to resolve the cited violation may result in an escalated enforcement action by the AQD. Please provide the information requested in the VN dated September 30, 2020, by **Friday, November 13, 2020**, which corresponds to 14 days from the date of this letter.

The Company's written response must be submitted to Mr. Ed Lancaster, EGLE, AQD, Marquette District Office, at 1504 West Washington Street, Marquette, Michigan 49855 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan, 48909-7760.

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Be further advised that issuance of this Violation Notice does not preclude or limit EGLE's ability to initiate any other enforcement action under state or federal law as appropriate.

If you have any questions regarding this matter or the actions necessary to bring the Company into compliance, please contact me at the number listed below or email at MoranE@Michigan.gov.

Sincerely,

A handwritten signature in cursive script that reads "Erin Moran".

Erin Moran
Enforcement Unit
Air Quality Division
517-275-0883

Enclosure

cc: Mr. Dan Shanahan, Marquette Township Fire Chief
Detective Elton Luce, EIS
Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Mr. Ed Lancaster, EGLE
Ms. Sydney Bruestle, EGLE