

KREIS ENDERLE

KREIS, ENDERLE, HUDGINS & BORSOS, P.C.

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May 23, 2014

Dorothy Bohn
Senior Environmental Quality Analyst
Air Quality Division
Department of Environmental Quality
7953 Adobe Road
Kalamazoo, MI 49006-5025

Dear Ms. Bohn:

Our offices represent Bernard Sherburn and his company, D.V.D. Enterprises, in regards to a violation notice he received from your office dated May 5, 2014. First, I would like you to be made aware that the controlled burning that your office addresses in the notice was authorized by Mr. Jack Conklin, the Fire Chief for the Hamilton Decatur Township Fire Department, which has jurisdiction over the issuance of such permits pursuant to R 281.421(f) of the Department of Natural Resources Forest, Mineral and Fire Management Division's Open Burning Rules MCL 324.51513. Chief Conklin provided guidance and approval of all aspects of the burn and it was conducted in accordance with Michigan law.

It is my understanding that an employee of your department who ordered the fires to be put out did not even come to inspect the site or speak to anyone in regards to this situation before ordering the local fire authorities to extinguish the fire.

At this time, we are reviewing our clients' options to address their damages and get their property back into usable form. I would ask that you retain all e-mails, notes, reports or other documents with regards to this incident.

Our client is hoping to put this matter behind him. All future correspondence may be directed to my attention.

Very truly yours,

KREIS, ENDERLE,
HUDGINS & BORSOS, P.C.



Robb S. Krueger



RSK/kac

cc: Bernard Sherburn