



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

February 28, 2024

Richard Jensen
Sandy Pines, LLC
15400 72nd St
South Haven, MI 49090

SRN: U802401214, Van Buren County

Dear Richard Jensen:

VIOLATION NOTICE

On February 20, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted a complaint investigation of Sandy Lakes, LLC (facility) located near 5389 68th St (on Parcel 80-09-008-027-02, GPS Coordinates 42.39882° N, 86.20326° W), South Haven, Michigan. The purpose of this investigation was to determine the facility's 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 Air Pollution Control Rules; and to investigate a recent complaint which we received on February 16, 2024, regarding open burning of prohibited materials attributed to the facility's operations.

During the investigation, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Burn pile on property	R 336.1310 (Rule 310)	Confirmed a burn pile of prohibited material on the property, including but not limited to mattress springs, small plastic items, a large plastic drum, metal items, cans, treated wood, carboard, fiberglass insulation, and carpet

On February 20, 2024, AQD staff observed open burning of refuse and other waste material at the facility. 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.

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In order to comply with Rule 310, the facility 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. Additionally, if Sandy Pines, LLC 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:
<https://www.michigan.gov/egle/about/organization/air-quality/air-permits/new-source-review/guidance>.

Please initiate actions necessary to correct the cited violation(s) and submit a written response to this Violation Notice by March 20, 2024 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation(s) occurred; an explanation of the causes and duration of the violation(s); whether the violation(s) are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation(s) 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 Mariah Scott at EGLE, AQD, Kalamazoo District, at 7953 Adobe Rd, Kalamazoo, Michigan 49009 or ScottM29@michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Sandy Pines, LLC 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.

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Thank you for your attention to resolving the violation(s) cited above and for the cooperation that was extended to me during my inspection of Sandy Pines, LLC. If you have any questions regarding the violation(s) or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Mariah Scott
Environmental Quality Analyst
Air Quality Division
517-899-3519

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Monica Brothers, EGLE