



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
JACKSON DISTRICT OFFICE



C. HEIDI GREETHER
DIRECTOR

December 14, 2016

CERTIFIED MAIL RETURN RECEIPT

7010 0290 0000 9047 1046

Mr. Robert Walls, General Manager
Advanced Disposal Services, Arbor Hills Landfill Inc.
10690 Six Mile Road
Northville, Michigan 48168

7010 0290 0000 9047 1336

Ms. Christina Pearse-Bossick, Environmental Manager
BFI Waste Systems of North America LLC
Republic Services Inc.
5011 South Lilly Road
Canton, Michigan 48188

7007 1490 0003 6376 7402

Ms. Suparna Chakladar, Vice President
FORTISTAR Methane Group
Arbor Hills Energy LLC
10611 West 5 Mile Road
Northville, Michigan 48167

SRN: N2688, Washtenaw County

Dear Mr. Walls, Ms. Pearse-Bossick and Ms. Chakladar:

VIOLATION NOTICE

On December 5, and December 10, 2016, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD), investigated complaints regarding nuisance odors alleged to be the result of operations at the Arbor Hills Landfill located at 10690 Six Mile Road, Northville, Michigan. The purpose of these investigations was to determine if this facility is in compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, and Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); the administrative rules promulgated pursuant to these parts; and to investigate complaints of alleged nuisance odors received on December 5, and December 10, 2016.

Staff of the AQD performed the investigations and observed the following air pollution and solid waste violation:

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Process Description	Rule/Permit Condition Violated	Comments
Municipal solid waste landfill owned and operated by Advanced Disposal Services; a landfill gas collection and control system owned and operated by Republic Services Inc. which is a subsidiary of BFI Waste Services of North America; and a gas to energy plant owned by Fortistar Methane Group	R 336.1901(b), R 299.4433(1)(c)	AQD staff observed moderate to strong (Level 3 to 4) landfill gas-like odors.

During the investigations performed on December 5, and December 10, 2016, AQD staff detected landfill gas odors in the Steeple Chase subdivision downwind of the facility. These odors were traced back to Arbor Hills Landfill. The observed landfill gas odors are a violation of Rule 901(b). The Rule 901 (b) violation also constitutes a violation of Rule 433(1)(c) since the gases generated by the facility created a nuisance odor beyond the property boundary.

Since the first of this year, MDEQ staff has received over 500 odor complaints regarding Arbor Hills Landfill. In response to complaints and repeated observations of offsite odors, MDEQ staff has conducted numerous on-site inspections and complaint investigations in the immediate area. Though MDEQ staff has documented offsite odors of garbage, compost, and other waste streams, the predominant odors and primary odors of concern continue to be landfill gas. These most recent observations of landfill gas like odors in violation of Rule 901 and Rule 433(1)(c), appear to indicate the landfill gas collection and control systems are inadequate. While the MDEQ recognizes the efforts taken to date to resolve offsite odors, these recent observed odor violations indicate more work needs to be done to minimize landfill gas odors from the facility.

The MDEQ encourages all parties to work cooperatively and immediately to resolve any and all offsite odor issues, but especially the landfill gas odors referenced in this violation. Please submit a written response to this Violation Notice by December 23, 2016, (which coincides with 8 calendar days from the date of this letter).

The written response should include:

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1. The dates the violation occurred;
2. An explanation of the causes and duration of the violation;
3. Whether the violation is ongoing;
4. A summary of the actions that have been taken to correct the violation;
5. A summary of the actions that are proposed to be taken to correct the violation;
6. The dates by which these actions will take place; and
7. What steps are being taken to prevent a reoccurrence.

In recognition of the ongoing enforcement and associated collaborative corrective action plan requested by the United States Environmental Protection Agency (USEPA), the MDEQ also encourages a joint response from all parties. This response shall include a detailed comprehensive facility-wide work plan with construction schedules that all parties have agreed upon to upgrade the gas collection and control system sufficiently to bring the landfill back into compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, and Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), and the administrative rules.

Thank you for your attention to resolving the violation cited above. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact us by e-mail at MillerS@michigan.gov, or BEANL@michigan.gov; by telephone at the numbers below; or MDEQ, 301 East Louis Glick Highway, Jackson, Michigan, 49201.

Sincerely,



Scott Miller
Jackson District Supervisor
Air Quality Division
517-780-7481



Lawrence E. Bean
Jackson District Supervisor
Office of Waste Management
and Radiological Protection
517-416-4375

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cc/via e-mail: Mr. Anthony Testa, Advanced Disposal Services
Mr. Nathan Frank, USEPA
Mr. Kenneth Ruffatto, USEPA
Ms. Sara Loiacono, USEPA
Ms. Lynn Fiedler, MDEQ
Ms. Mary Ann Dolehanty, MDEQ
Mr. Chris Ethridge, MDEQ
Mr. Thomas Hess, MDEQ
Ms. Diane Kavanaugh-Vetort, MDEQ
Mr. Steve Sliver, MDEQ
Mr. Lonnie Lee, MDEQ