



Detroit Renewable Power Consent Judgment Schedule

The Consent Judgment (CJ) was entered in court on October 20, 2014. In the CJ, Detroit Renewable Power (Company) is required to meet the following time line:

RDF Control Program and Installation Schedule

1. On or before **10/20/14**, the Company shall in a signed writing notify the AQD Detroit District Supervisor that a contract for engineering services to design a system for controlling odors from the RDF Storage Building and RDF Conveyor Gallery (hereinafter referred to as the "RDF Control System") has been awarded. The RDF Control System shall include fans, air dampers, plenums, ductwork, and associated equipment that will collect exhaust air from the RDF Storage Building and RDF Conveyor Gallery and convey the air directly to the stoker boiler forced draft fan combustion air intakes. (CJ paragraph 3.1)

***Milestone:** On 10/22/2014, the company notified the Detroit District Supervisor that they awarded a contract for engineering services to design the RDF control System on 10/15/14.*

RDF Odor Neutralization System and MSW Odor Control Plan

2. On or before **10/20/14**, the Company shall have retained a qualified third party to evaluate the odor neutralizer spray system in the RDF Storage Building and shall have completed appropriate improvements or upgrades. & (CJ paragraph 3.10)
3. No later than **11/19/14**, (within 30 days after the Effective Date), the Company shall notify the AQD Detroit District Supervisor in writing that the improvements and/or upgrades have been completed. (CJ paragraph 3.11)

***Milestone:** On 10/29/2014, the company notified the Detroit District Supervisor that they retained Delray Mechanical Corporation to evaluate the odor neutralizer spray system in the improvements to the odor neutralizer system in the RDF Storage Building; & Delray Mechanical Corporation completed improvements to the odor neutralizer spray system on 7/15/14.*

4. No later than **11/19/14**, (within 30 days after the Effective Date), the company shall develop an odor control plan, which include the following (CJ paragraph 3.11, 3.12, 3.13, 3.14, 3.15, & 3.16):
 - a. To properly operate the waterless odor neutralizer system in the RDF processing area from April 15 through October 15 of each year during the term of this Consent Judgment
 - b. To properly operate the wet odor neutralizing system for the MSW processing area from April 15 through October 15 of each year during the term of this Consent Judgment
 - c. To clean the solid waste receiving tipping floor, pit area, and processing equipment on a daily basis, or more often if required, such that odor from these sources is minimized, in compliance with the ROP No. MI-ROP-M4148-2011; D. Flexible Group Conditions FGMSWPROC-Lines

- d. To take any and all actions necessary to control odorous emissions from the Facility to comply with Rule 901 in the event of a mechanical failure lasting more than 24 hours that prevents the processing of the MSW into RDF or utilization of the RDF as fuel for the boilers.

Milestone: *On 11/6/2014, the company met with AQD staff & presented the Odor Management Plan which included the above items.*

Odor Management Plan

5. No later than **12/6/14**, (within 30 days after AQD receives the revised Odor Management Plan from the Company), AQD shall notify the Company in writing as to whether the submitted changes are approved or rejected. (CJ paragraph 3.16)

Milestone: *On 11/24/2014, AQD sent a letter to the company requesting the company to amend the odor control plan to make it precise & clear. Furthermore, AQD requested the company to submit the revised odor control plan by 12/15/14.*

On 12/15/14, AQD received the company's revised Odor Management Plan.

On 1/13/15, AQD approved the revised Odor Management Plan of 12/15/2014.

RDF Control Program and Installation Schedule

6. No later than **4/1/15**, (within 160 days after the Company submits the notification required by CJ paragraph 3.1), the Company shall submit to the AQD Detroit District Supervisor detailed engineering plans and specifications that depict the design of the RDF Control System. (CJ paragraph 3.2)

Milestone: *On 1/9/15, 2/10/15, & 3/10/15, the company updated the AQD about the Odor Reduction Project. The company anticipates they are on schedule to submit detailed plans and specifications as required by the consent judgment schedule.*

On 3/31/2015, the company submitted a detailed engineering plans and specifications that depicted the design of the RDF Control System.

7. If the company submits the engineering plan on 4/1/15, no later than **5/1/15** (within 30 days after the Company submits the plans and specifications required by CJ paragraph 3.2), the Company shall notify the AQD Detroit District Supervisor in a signed writing that a contract for construction of the RDF Control System has been awarded. (CJ paragraph 3.3)

Milestone: *On 4/28/15, the company submitted in writing that a contract for construction of the RDF Control System has been awarded.*

8. If the company notifies AQD Detroit District Supervisor that a contract for construction has been awarded on 5/1/14, no later than **7/1/15** (within 60 days after the Company submits the notification required by CJ paragraph 3.3), the Company shall begin on-site construction of the RDF Control System and shall notify the AQD Detroit District Supervisor in writing that construction has begun. (CJ paragraph 3.4)

Milestone: On 6/27/15, the company informed the AQD in writing that DRP had begun on-site construction of the RDF Control System.

9. If the company notifies AQD that they begin on-site construction of RDF control system on 7/1/15, no later than **1/27/16** (within 210 days after the Company submits the notification required by CJ paragraph 3.4), the Company shall have completed the construction of the RDF Control System, shall have connected the RDF Control System to one or more of the three existing boilers at the facility (Boiler No. 11, Boiler No. 12, and/or Boiler No. 13), and shall notify the AQD Detroit District Supervisor in writing that initial operation of the system has commenced. (CJ paragraph 3.5)

Milestone: On 1/22/16, the company informed AQD in writing that DRP has completed the construction of the RDF Control System, & has connected the RDF Control System to one or more of the three existing boilers at the facility.

10. If the company notifies AQD that initial operation of the system has commenced on 1/27/16,) no later than **7/25/16** (within 180 days after the Company submits the notification required by CJ paragraph 3.5), the Company shall have connected the RDF Control System to the remaining boilers at the facility and shall notify the AQD Detroit District Supervisor in writing that all three boilers have been connected. (CJ paragraph 3.6)

Milestone: On 7/20/16, the company informed the AQD in writing that DRP connected the remaining boilers to the RDF Control System.

11. If the company notifies AQD that all three boilers have been connected, no later than **9/23/16** (within 60 days after the Company submits the notification required by CJ paragraph 3.6), the Company shall have completed the integration of the controls for the RDF Control System into stoker boiler combustion controls in the existing Distributed Control System and shall notify the AQD Detroit District Supervisor in writing that integration of the RDF Control System has been completed. (CJ paragraph 3.7)

Milestone: On 9/20/16, the company informed the AQD in writing that integration of the controls for the RDF Control System has been completed.

RDF Control System Verification

12. If the company notifies AQD that integration of the RDF Control System has been completed on 9/23/16,) no later than **10/23/16** (within 30 days after the Company submits the notification required by CJ paragraph 3.7), the Company shall conduct testing to reasonably determine that the RDF Control System has been constructed and is operating as designed. Testing under this paragraph shall be conducted in accordance with the following sub-paragraphs (CJ paragraph 3.8):
 - a. A qualified engineer shall examine the RDF Control System and verify in writing in a signed writing that the system has been constructed in accordance with the engineering plans and specifications submitted pursuant to CJ paragraph 3.2. Within ten (10) days of the date of the signed writing by the qualified engineer, a copy of that signed writing shall be forwarded to the DEQ, AQD, Detroit Field Office, Detroit District Supervisor. Examination and verification shall include the integrity and sealing of system ductwork and plenums; closure and/or control of

openings in the RDF Storage Building and RDF Conveyor Gallery; calibration of flow measurement instrumentation; and a functional test of the Distributed Control System.

- b. A qualified third party contractor shall conduct performance testing (per USEPA Methods in Title 40 Code of Federal Regulation Part 60, Appendix A-1) to verify that the RDF Control System collects exhaust air from the RDF Storage Building and RDF Conveyor Gallery and conveys the air to the stoker boiler forced draft fan combustion air intakes. Performance testing shall be conducted during normal operation of the system over a period of not less than one hour and shall consist of air flow measurements at RDF Storage Building and RDF Conveyor Gallery exhaust air collection inlets to verify that the RDF Control System operates as specified on the engineering plans and specifications. The testing shall specify the number of boilers in service when the air flow is measured.

Milestone: *The company informed the AQD in writing that a qualified engineer has examined the RDF control system and verified that the system has been constructed in accordance with the engineering plans and specifications. The correspondence included performance testing results verifying that the RDF Control System collects exhaust air from the RDF Storage Building and RDF Conveyor Gallery and conveys air to the boiler forced draft fan combustion air intakes.*

13. If the company notifies AQD that the Company shall conduct testing to reasonably determine that the RDF Control System has been constructed and is operating as designed on 10/23/16, no later than **11/22/16** (within 30 days after completion of the testing required by CJ paragraph 3.8), the Company shall submit a written report of the testing to the AQD Detroit District Supervisor. The report shall document the examinations and measurements required by CJ paragraph 3.8 and shall verify that RDF Control System is constructed in accordance with the engineering plans and specifications and is operating as designed. (CJ paragraph 3.9)

Milestone: *A written report dated October 28, 2016 was received by the AQD. The report documents the examinations and measurements required by CJ paragraph 3.8 and includes verification that the RDF Control System is constructed in accordance with the engineering plans and specifications and is operating as designed.*

Additional Measures

14. If the company submits the report of examinations & measurements of the RDF control system performance on 11/22/16), No later than **11/22/18** (within two (2) years after the Company submits the written report required by CJ paragraph 3.9), AQD makes the determination of the odor control measures from the facility. AQD may provide written notice of its determination to the Company. The written notice shall state, based on available information: (i) the number and type of odor complaints received by AQD and attributed to operation of the Facility, (ii) the estimated time duration of each odor incident that AQD alleges constituted a violation of Rule 901, (iii) field observations of each odor incident that AQD alleges constituted a violation of Rule 901, and (iv) the basis for AQD's belief that the odors were from the Facility. (CJ paragraph 3.17)

Milestone: *A written Notice of Determination of Necessity for Additional Measures was provided to the company's attorney on July 31, 2018. The written notice states that the measures described in Section III of the Consent Judgement have proven insufficient to control odors from the facility. The notice included, the number and type of odor complaints received by the AQD and attributed to*

operation of the facility, the estimated time duration of each odor incident, field observations of each odor incident that the AQD alleges constituted a violation of Rule 901, and the basis for AQD's determination that the odors are attributable to the facility.

15. If the Company does not dispute the AQD's determination, the Company shall comply with the subparagraphs below. If the Company disputes the AQD's determination, the Parties shall resolve the dispute pursuant to Section V of this Consent Judgment, and the Company shall be required to comply with subparagraphs a. and b. below only in the event, and to the extent that, the Company does not prevail on the dispute. (CJ paragraph 3.18):
 - a. If AQD provides written notification on 11/22/18, no later than **2/21/19** (within 90 days after receiving the written notice specified in CJ paragraph 3.18 or receiving a final decision from the Court on a petition for resolution, as applicable), the Company shall submit to the AQD Detroit District Supervisor (i) plans and/or operational commitments that describe additional measures for controlling odors from the Facility; and (ii) a schedule for review and approval by AQD for implementing the plans and/or commitments. (CJ paragraph 3.18a)
 - b. If the Company submits the plan for additional measures for controlling odors from the facility on 2/21/19, no later than **3/23/19** (within thirty (30) days after completing the implementation of plans and/or commitments specified in CJ paragraph 3.18a above), the Company shall notify the AQD Detroit District Supervisor in writing that the plans and/or commitments have been implemented. (CJ paragraph 3.18b)