



Marilyn
M4148



June 11, 2014

Ms. Joyce Zhu
Senior Environmental Engineer
Michigan Air Quality Division
Southeast Michigan District Office
27700 Donald Court
Warren, MI 48092-2793

RE: RESPONSE BY DETROIT RENEWABLE POWER (“DRP”) TO VIOLATION NOTICE DATED MAY 21, 2014, ISSUED BY THE AIR QUALITY DIVISION (“AQD”)

Dear Ms. Zhu:

Detroit Renewable Power (“DRP”) submits this response to the referenced Violation Notice (“VN”). The VN alleges that DRP violated R336.1901(b) of Michigan’s Administrative Rules for Air Pollution Control and General Condition (A)(G.C.12(b)) of DRP’s Renewable Operating Permit as a result of odor observations made by, and in the opinion of, AQD staff. This communication satisfies the AQD’s request that DRP provide a written response no later than June 11, 2014.

As noted previously in communications and meetings with the AQD, and as district staff has repeatedly observed, several industrial operations in this area produce odors that are noticeable downwind and in areas where DRP has been accused of causing odors. In fact, the Compliant Investigation (M414825177) prepared by the AQD to support the issuance of the VN acknowledges the presence of odors unrelated to operations at DRP on both May 17 and May 18.

The complaint investigation conducted the early afternoon of May 17 does not reference a specific odor complaint, neither does it identify a street address that the investigator visited in an attempt to verify an odor complaint. Moreover, the report documents that AQD staff were unable to verify nuisance odors from DRP on May 17. According to the investigation report, the only odor found and attributed to DRP was intermittent, extremely mild (level 2 or below), and observed immediately across the street and downwind from DRP’s RDF and processing buildings. It is clear from the investigation conducted on May 17 that DRP did not cause odors that unreasonably interfered with the comfortable enjoyment of life and property, notwithstanding the receipt of citizen complaints against the company.

The complaint investigation conducted on May 18 likewise indicates that any odors from DRP were intermittent. As noted in the report, during the short time the inspector was in the vicinity of DRP the wind direction “changed periodically,” sometimes blowing in one

direction and sometimes in another. Without more, we do not agree that odors that come and go over relatively short periods of time necessarily constitute a nuisance.

Nonetheless, DRP has conducted investigations and implemented programs to further reduce the generation of odors at the facility that have the potential to impact areas off-site. Most recently, as you know, DRP has proposed a control plan to AQD that will substantially reduce odors from the facility. We expect the control plan to alleviate allegations of off-site odors from the DRP facility.

DRP is committed to continuing to cooperate and partner with the AQD and to examine and investigate methods and means of minimizing the off-site release of odors.

If you have any further questions or comments, please do not hesitate to contact me or my staff.

Yours truly,

DETROIT RENEWABLE POWER



John O'Sullivan
PRESIDENT

c: Alan Greenberg
William Alexander