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VIA CERTIFIED MAIL

October 19, 2016

Todd Zynda, Environmental Engineer
Michigan Department of Environmental Quality
Air Quality Division
3058 W. Grand Boulevard
Suite 2300
Detroit, MI 48202

RE: Detroit Renewable Power – Response to Violation Notices dated September 28, 2016 and October 4, 2016

Dear Mr. Zynda:

This correspondence is Detroit Renewable Power's response to the Violation Notices (VNs) received on September 28, 2016 and October 4, 2016 regarding odors allegedly emanating from DRP's operation in violation of ROP No. MI-ROP-M4148-2011a, A. General Conditions, 12(b) and R336.1901(b) on August 21 & 29, 2016 and September 23 & 24, 2016. Inspections conducted by MDEQ-AQD in response to complaints reportedly found a moderate to strong (level 3 to 4) garbage odor observed emitting from the facility and impacting nearby neighbors.

The following is in response to the violation notice: DRP takes odor management very seriously and remains diligent in operating its facility according to the Consent Judgment (CJ) issued on October 20, 2014. As you know, the CJ requires DRP to have an Odor Management Plan (OMP) which requires review and recordkeeping of odor abatement activities on a daily, weekly, and monthly basis. These practices are intended to ensure conformance with the OMP to mitigate odors from the facility.

On August 21 & 29, 2016, and September 23 & 24, 2016 the daily inspections found the municipal solid waste conveyors and the overhead doors operating properly. Daily inspections also found the odor spray system to be working correctly at the tipping floor roof, the refuse derived fuel (RDF) area, the alleyway door, the north alley door, the south alley door, the municipal solid waste (MSW) pile, the east tipping floor, the west tipping floor, and the stack systems. In addition, the MSW roof fans were working properly and the area was swept with the sweeper truck. In summary, all appropriate odor management practices were followed on the days noted.

- 2) August 29, 2016 conducted by DRP's Director of HES, Damian Doerfer, findings were as follows:

"I received a call from Todd Zynda of MDEQ this morning at approximately 7:30 this morning. He was reporting level 3 odors on Kirby between 75 service drive and St. Antoine.

I conducted an odor survey of this neighborhood from 8:15 - 8:50 AM this morning. Winds were light 3-5 MPH from the Northeast.

I detected:

Level 2 odors at I-75 Service Drive and Ferry

Level 1 at Beaubien and Frederick

Level 1 at John R and Ferry"

- 3) September 23, 2016 the weekly odor survey was conducted by DRP's Environmental Manager, Tabettha Peebles, and Mobile Equipment and Facility Support Manager, Dave Bowman, with no odors detected. The area driven was the perimeter of the facility from Ferry to Chene to E. Grand Blvd. to Wayne State University. The weekly odor survey form and attached map is available for review if needed.
- 4) September 24, 2016 conducted by DRP's Director of HES, Damian Doerfer, findings were as follows:

"Completed my odor survey. East / NE Winds 8 mph. 60F.

Russell and Ferry - Level odor 2, trash

624 Kirby - No Odor

Beaubien and Frederick - No Odor

5724 Brush - Odor of cut grass - Active Mowing.

Brush and Harper - No Odor.

Bus Stop on Beaubien and Hendrie - Level 1 – trash intermittent.

623 Palmer - Level 1 intermittent trash odor.

Rivard and Palmer - Level 2 Trash."

Overall, DRP reviewed records for the date of alleged violations and did not find any issue of nonconformance. During the DRP surveys, waste-related odors were detected from level 0-2, but not at the levels noted in the violations. Accordingly, DRP does not agree that nuisance odors from DRP's operation were of sufficient intensity, frequency and duration to constitute a violation of Rule 901 on these occasions.