



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

June 3, 2022

VIA EMAIL AND CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Christina Pearse  
Republic Services, Inc.  
5011 S. Lilley Road  
Canton, Michigan 48188

SRN: N2689, Monroe County

Dear Christina Pearse:

**VIOLATION NOTICE**

On May 10, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Vienna Junction Industrial Park Sanitary Landfill and Vienna Junction Energy, LLC, (Vienna Junction) located at 6233 and 6506 Hagman Road, Erie, Michigan. The purpose of this inspection was to determine Vienna Junction'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; the conditions of Renewable Operating Permit (ROP) number MI-ROP-N2689-2020; the Federal National Emission Standards for Hazardous Air Pollutants 40 CFR, Part 63, Subpart AAAA (NESHAP), and the New Source Performance Standard (NSPS) for Municipal Solid Waste Landfills that commenced construction, reconstruction or modification after July 17, 2014, 40 CFR, Part 60, Subpart XXX.

AQD requested and received records as part of the inspection, based on review of records received staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
FGENCLOSEDFLARE-XXX (enclosed combustor of landfill gas)	MI-ROP-N2689-2020, Condition I. Non-methane Organic Compound (NMOC), 20 ppmv dry as hexane at 3% oxygen OR 98% reduction or more  NESHAP 40 CFR 63.1959(b)(2)(iii)(B)	Unable to determine compliance with emission limit during periods of operation below required minimum temperature determined during most recent NSPS required performance test.
FGENCLOSEDFLARE-XXX	MI-ROP-N2689-2020, Condition III. 3.  NESHAP 40 CFR 63.1959(d)	Failed to operate at minimum compliant temperature (parameter range) as determined during most recent NSPS required NMOC control device performance test.

FGENCLOSEDFLARE-XXX	MI-ROP-N2689-2020, Condition VI. 2. (b)  NESHAP 40 CFR 63.1959(b)(2)(iii), 40 CFR 63.1983(c)(1)(i)	Monitoring /recordkeeping shows excessive number of events during which the parameter boundaries established during the most recent performance test were exceeded. Average combustion temperature was more than 28 degrees C (82 degrees F) below the average combustion temperature during the most recent performance test at which compliance with 40 CFR 60.762(b)(2)(iii) was determined.
FGENCLOSEDFLARE-XXX	MI-ROP-N2689-2020, Condition VII. 1.	Failed to promptly report deviations pursuant to General Conditions 21 and 22 of Part A.

This process is also subject to the federal NSPS Subpart XXX and the federal NESHAP Subpart AAAA.

Vienna Junction’s most recent NSPS compliant performance testing was conducted on September 16, 2020. This set the required minimum EUENCLOSEDFLARE temperature at 1606 degrees F. The ROP and NSPS identifies exceedances as all 3-hour periods of operation during which the average combustion temperature was more than 28 degrees C (82 degrees F) below the average combustion temperature during the most recent performance test at which compliance was determined (1606 F- 82 F = 1524 F). Their ROP requires record keeping and reporting of exceedances. AQD requested Vienna Junction submit records showing compliance with the required minimum temperature. Vienna Junction submitted records showing multiple exceedances during the reported period of September 2020 through February 2022. Vienna Junction failed to promptly identify these exceedances, the cause(s), and report them as deviations during this time.

Vienna Junction records indicate the three-hour rolling enclosed flare temperature data recorded during the period exceeded the tested minimum temperature over 100 hours on approximately 10 occasions, over 200 hours on 4 occasions, and 621 hours on one occasion.

As part of the record keeping submittal Vienna Junction stated the cause of the exceedances was the failure to set the low temperature shutdown at a compliant level, therefore the flare was not shutting down when the temperature dropped below 1524 degrees F. Vienna Junction stated they discovered the minimum temperature was set to 1400 degrees F.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by June 25, 2022, (which coincides with 21-calendar days from the date of

Christina Pearce  
Republic Services, Inc.  
June 3, 2022  
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this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations 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 EGLE, AQD, Jackson District, at 301 E. Louis Glick Highway, Jackson, Michigan 49201, and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Vienna Junction 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.

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

Sincerely,



Diane Kavanaugh Vetort  
Senior Environmental Quality Analyst  
Air Quality Division  
517-416-3537

cc:

Benjamin Carr, Republic Services, Inc.  
Mary Ann Dolehanty, EGLE  
Christopher Etheridge, EGLE  
Dr. Eduardo Olaguer, EGLE  
Jenine Camilleri, EGLE  
Scott Miller, EGLE