



GRETCHEN WHITMER  
GOVERNOR

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



PHILLIP D. ROOS  
DIRECTOR

November 7, 2023

VIA E-MAIL AND U.S. MAIL

Matthew Williams  
Landfill Resource Recovery Manager  
Smiths Creek Landfill  
6779 Smiths Creek Road  
Kimball, Michigan 48074-3506

SRN: N6207, St. Clair County

Dear Matthew Williams:

**VIOLATION NOTICE**

On October 10 and 18, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Smiths Creek Landfill (SCL) located at 6779 Smiths Creek Road, Smiths Creek (Kimball), Michigan. The purpose of this inspection was to determine SCL'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; and to investigate numerous complaints which AQD received regarding foul landfill gas odors attributed to SCL's landfill operations.

During the October 10 and 18, 2023 inspection, AQD staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Smiths Creek Landfill	NESHAP / MACT 4A 40 CFR 63.1958(d)(1)  40 CFR 63.1958 Operational standards for collection and control systems.  40 CFR, Part 62, Subpart OOO 40 CFR 62.16716(d)  40 CFR 62.16716 Operational standards for collection and control systems.	SCL failed to design and operate the collection system so that the methane concentration is less than 500 parts per million (ppm) above background at the surface of the landfill. <sup>β</sup>

<p>Smiths Creek Landfill</p>	<p>40 CFR, Part 62, Subpart OOO          40 CFR 62.16714(b)(2)(iii)</p> <p>40 CFR 62.16714 Standards for municipal solid waste landfill emissions.</p> <p>NESHAP / MACT 4A          40 CFR 63.1959(b)(2)(ii)(B)(3)</p> <p>40 CFR 63.1959 NMOC calculation procedures.</p>	<p>SCL failed to collect landfill gas at a sufficient extraction rate. SCL failed to design an active collection system to handle the maximum expected gas flow rate from the entire area of the landfill. Inadequate vacuum was produced in the cells that the odorous landfill gas released to the neighborhood.<sup>β</sup></p>
<p>Smiths Creek Landfill</p>	<p>40 CFR, Part 62, Subpart OOO          40 CFR 62.16714(b)(2)(iv)</p> <p>40 CFR 62.16714 Standards for municipal solid waste landfill emissions.</p> <p>NESHAP – Subpart AAAA          40 CFR 63.1959(b)(2)(ii)(B)(4)</p> <p>40 CFR 63.1959 NMOC calculation procedures.</p>	<p>SCL failed to design and operate the active collection system to minimize off-site migration of subsurface gas.<sup>β</sup></p>
<p><sup>β</sup> Please refer to the surface emission monitoring (SEM) inspection letter from Mike Kovalchick of EGLE-AQD. SCL failed to design and operate a system of vertical wells, horizontal collectors, or other collection devices, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards (40 CFR 63.1960 Compliance provisions). Inadequate vacuum was produced in the cells such that the odorous landfill gas was released to the neighborhood because of off-site migration of subsurface gas.</p>		

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by **November 28, 2023** (which coincides with 21 calendar days from the date of 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 Iranna Konanahalli at EGLE, AQD, Warren District, at 27700 Donald Court, Warren, Warren, Michigan 48092 or [Konanahalli@michigan.gov](mailto:Konanahalli@michigan.gov) and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

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If SCL 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 SCL. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number or email listed below.

Sincerely,



Iranna Konanahalli  
Senior Environmental Engineer  
Air Quality Division  
586-596-7630 | [Konanahalli@Michigan.gov](mailto:Konanahalli@Michigan.gov)

cc: Erin Berish, CTI Companies  
Laura Neiman, EIL  
Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Jenine Camilleri, EGLE  
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