

Michigan Department of Natural Resources and Environment
Air Quality Division

State Registration Number
N2407

**RENEWABLE OPERATING PERMIT
STAFF REPORT**

ROP Number
MI-ROP-N2407-2011

Forest Lawn Landfill

SRN: N2407

Located at

8230 West Forest Lawn Road, Three Oaks, Berrien County, Michigan 49128

Permit Number: MI-ROP-N2407-2011

Staff Report Date: December 6, 2010

This Staff Report is published in accordance with Sections 5506 and 5511 of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451). Specifically, Rule 214(1) requires that the Michigan Department of Natural Resources and Environment (MDNRE), Air Quality Division (AQD), prepare a report that sets forth the factual basis for the terms and conditions of the Renewable Operating Permit (ROP).

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Purpose

Major stationary sources of air pollutants, and some non-major sources, are required to obtain and operate in compliance with a ROP pursuant to Title V of the federal Clean Air Act of 1990 and Michigan's Administrative Rules for air pollution control pursuant to Section 5506(1) of Act 451. Sources subject to the ROP program are defined by criteria in Rule 211(1). The ROP is intended to simplify and clarify a stationary source's applicable requirements and compliance with them by consolidating all state and federal air quality requirements into one document.

This report, as required by Rule 214(1), sets forth the applicable requirements and factual basis for the draft permit terms and conditions including citations of the underlying applicable requirements, an explanation of any equivalent requirements included in the draft permit pursuant to Rule 212(5), and any determination made pursuant to Rule 213(6)(a)(ii) regarding requirements that are not applicable to the stationary source.

General Information

Stationary Source Mailing Address:	Forest Lawn Landfill 8230 West Forest Lawn Road Three Oaks, Michigan 49128
Source Registration Number (SRN):	N2407
North American Industry Classification System (NAICS) Code:	562212
Number of Stationary Source Sections:	1
Is Application for a Renewal or Initial Issuance?	Renewal
Application Number:	201000066
Responsible Official:	Mr. Terry Zona, General Manager 219-394-2808
AQD Contact:	Mr. Matt Deskins, Environmental Quality Analyst 269-567-3542
Date Permit Application Received:	July 30, 2010
Date Application Was Administratively Complete:	August 10, 2010
Is Application Shield In Effect?	Yes
Date Public Comment Begins:	December 6, 2010
Deadline for Public Comment:	January 5, 2011

Source Description

Forest Lawn Landfill, Inc. (FLL) is a Type II municipal solid waste landfill as defined in 40 Code of Federal Regulations (CFR) 60.751. The FLL has a design capacity greater than 2.5 million megagrams and has estimated uncontrolled Non-Methane Organic Compound (NMOC) emissions greater than 50 megagrams per year, which makes it subject to certain federal regulations to be discussed below. The FLL currently has a control system in place that actively draws out landfill gas from extraction wells that gets routed to an enclosed flare, a leachate evaporator, and an open flare.

The following table lists stationary source emission information as reported to the Michigan Air Emissions Reporting System in the **2009** submittal.

TOTAL STATIONARY SOURCE EMISSIONS

Pollutant	Tons per Year
Carbon Monoxide (CO)	160.9
Nitrogen Oxides (NO _x)	36.5
Particulate Matter (PM)	12.5
Sulfur Dioxide (SO ₂)	8.6
Volatile Organic Compounds (VOCs)	1.1
Non-Methane Organic Compounds (NMOC)	37.7

**As listed pursuant to Section 112(b) of the federal Clean Air Act.

See Parts C and D in the draft ROP for summary tables of all processes at the stationary source that are subject to process-specific emission limits or standards.

Regulatory Analysis

The following is a general description and history of the source. Any determinations of regulatory non-applicability for this source are explained below in the Non-Applicable Requirement part of the Staff Report and identified in Part E of the ROP.

The stationary source is located in Berrien County, which is currently designated by the U.S. Environmental Protection Agency (USEPA) as attainment/unclassified for all criteria pollutants.

The stationary source is subject to Title 40 of the CFR, Part 70, because the potential to emit carbon monoxide exceeds 100 tons per year and the source is subject to 40 CFR, Part 60, Subpart WWW (New Source Performance Standards for Municipal Solid Waste Landfills) that requires a 40 CFR, Part 70, permit.

No emissions units at the stationary source are currently subject to the Prevention of Significant Deterioration (PSD) regulations of Part 18, PSD of Air Quality of Act 451, because at the time of New Source Review, permitting the potential to emit of carbon monoxide was less than 250 tons per year.

EULANDFILL, EUACTIVECOLL, EUOPENFLARE, and EUENCLOSEDFLARE at the stationary source are subject to the New Source Performance Standards for Municipal Solid Waste Landfills promulgated in 40 CFR, Part 60, Subparts A and WWW.

EULANDFILL, EUACTIVECOLL, EUOPENFLARE, and EUENCLOSEDFLARE at the stationary source are subject to the Maximum Achievable Control Technology Standards for Municipal Solid Waste Landfills promulgated in 40 CFR, Part 63, Subparts A and AAAA.

EUASBESTOS at the stationary source is subject to the National Emission Standard for Hazardous Air Pollutants for Asbestos promulgated in 40 CFR, Part 61, Subparts A and M.

The monitoring conditions contained in the ROP are necessary to demonstrate compliance with all applicable requirements and are consistent with the "Procedure for Evaluating Periodic Monitoring Submittals."

The emission limitation(s) or standard(s) at the stationary source are exempt from the federal Compliance Assurance Monitoring regulation under 40 CFR, Part 64, because they are addressed by 40 CFR, Part 60, Subpart WWW (New Source Performance Standards for Municipal Solid Waste Landfills).

Please refer to Parts B, C, and D in the draft ROP for detailed regulatory citations for the stationary source. Part A contains regulatory citations for general conditions.

Source-wide Permit to Install (PTI)

Rule 214a requires the issuance of a Source-wide PTI within the ROP for conditions established pursuant to Rule 201. All terms and conditions that were initially established in a PTI are identified with a footnote designation in the integrated ROP/PTI document.

The following table lists all individual PTIs that were incorporated into previous ROPs. PTIs issued after the effective date of ROP No. MI-ROP-N2407-2006 are identified in Appendix 6 of the ROP.

PTI Number			
NA			

Equivalent Requirements

This permit does not include any equivalent requirements pursuant to Rule 212(5). Equivalent requirements are enforceable applicable requirements that are equivalent to the applicable requirements contained in the original PTI, a Consent Order/Judgment, and/or the State Implementation Plan.

Non-applicable Requirements

Part E of the draft ROP lists requirements that are not applicable to this source as determined by the AQD, if any were proposed in the application. These determinations are incorporated into the permit shield provision set forth in Part A (General Conditions 26 through 29) of the draft ROP pursuant to Rule 213(6)(a)(ii).

Processes in Application Not Identified in Draft ROP

The following table lists processes that were included in the ROP application as exempt devices under Rule 212(4). These processes are not subject to any process specific emission limits or standards in any applicable requirement.

Exempt Emission Unit ID	Description of Exempt Emission Unit	ROP Exemption	PTI Permit Exemption
EUGASOLINEUSTS	(1) 8,000 and (1) 500 gallon unleaded gas underground storage tank	R 336.1284(g)(i)	R 336.1212(4)(c)
EUUSED OILTANKS	(1) 4,000 and (1) 350 gallon used oil storage tank	R 336.1284(f)	R 336.1212(4)(c)
EUFURNACES	(2) gas fired furnaces	R 336.1282(b)(i)	R 336.1212(4)(b)

Exempt Emission Unit ID	Description of Exempt Emission Unit	ROP Exemption	PTI Permit Exemption
EUBOILER	(1) used oil fired boiler	R 336.1282(b)(iv)	R 336.1212(4)(b)
EUBURNER	(1) used oil fired burner	R 336.1282(b)(iv)	R 336.1212(4)(b)
EUHEATER	(1) propane space heater	R 336.1282(b)(i)	R 336.1212(4)(b)

Draft ROP Terms/Conditions Not Agreed to by Applicant

This permit does not contain any terms and/or conditions that the AQD and the applicant did not agree upon pursuant to Rule 214(2).

Compliance Status

The AQD finds that the stationary source is expected to be in compliance with all applicable requirements as of the effective date of this ROP.

Action Taken by the MDNRE

The AQD proposes to approve this permit. A final decision on the ROP will not be made until the public and affected states have had an opportunity to comment on the AQD's proposed action and draft permit. In addition, the USEPA is allowed up to 45 days to review the draft permit and related material. The AQD is not required to accept recommendations that are not based on applicable requirements. The delegated decision maker for the AQD is Ms. Mary Douglas, Kalamazoo District Supervisor. The final determination for ROP approval/disapproval will be based on the contents of the permit application, a judgment that the stationary source will be able to comply with applicable emission limits and other terms and conditions, and resolution of any objections by the USEPA.

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**January 10, 2011 STAFF REPORT
ADDENDUM**

Purpose

A Staff Report dated December 6, 2010, was developed in order to set forth the applicable requirements and factual basis for the draft ROP terms and conditions as required by R 336.1214(1). The purpose of this Staff Report Addendum is to summarize any significant comments received on the draft ROP during the 30-day public comment period as described in R 336.1214(3). In addition, this addendum describes any changes to the draft ROP resulting from these pertinent comments.

General Information

Responsible Official:	Terry Zona, General Manager 219-394-2808
AQD Contact:	Matt Deskins, Environmental Quality Analyst 269-567-3542

Summary of Pertinent Comments

No pertinent comments were received during the 30-day public comment period.