

Michigan Department of Environmental Quality
Air Quality Division

State Registration Number

N6039

**RENEWABLE OPERATING PERMIT
STAFF REPORT**

ROP Number

MI-ROP-N6039-2012

K & W LANDFILL, INC.

SRN: N6039

Located at

11877 Highway M-38, Ontonagon, Ontonagon County, Michigan 49953

Permit Number: MI-ROP-N6039-20122

Staff Report Date: May 23, 2011

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 Environmental Quality (MDEQ), 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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MAY 23, 2011 STAFF REPORT

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:	K & W Landfill Inc. 11877 Highway M-38 Ontonagon, Michigan 49953
Source Registration Number (SRN):	N6039
North American Industry Classification System (NAICS) Code:	5622120
Number of Stationary Source Sections:	1
Is Application for a Renewal or Initial Issuance?	Renewal
Application Number:	201000102
Responsible Official:	Mr. Greg Johns, Site Manager 906-883-3505
AQD Contact:	Mr. Rob Dickman, Environmental Quality Analyst 231-876-4412
Date Permit Application Received:	October 28, 2010
Date Application Was Administratively Complete:	October 28, 2010
Is Application Shield In Effect?	Yes
Date Public Comment Begins:	May 23, 2011
Deadline for Public Comment:	June 22, 2011

Source Description

K & W Landfill Inc. is owned and operated by Waste Management of Michigan, Inc. The facility is located at 11877 M38 in Ontonagon County.

A landfill means an area of land or an excavation in which wastes are placed for permanent disposal. K & W Landfill Inc. is classified as a Type II municipal solid waste landfill that has been accepting waste since 1981. A Municipal Solid Waste (MSW) landfill or a Type II landfill according to Act 451, Part 115, Solid Waste Management is:

“A landfill which receives household waste, municipal solid waste, incinerator ash or sewage sludge and which is not a land application unit, surface impoundment, injection well, or waste pile. A municipal solid waste landfill also may receive other types of solid waste, such as commercial waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial waste. Such a landfill may be publicly or privately owned.”

K & W Landfill Inc. currently accepts sludge, asbestos containing wastes (asbestos requirements are found in Table E-1.4 EUASBESTOS), fly ash, industrial waste, miscellaneous solids, along with municipal household waste. Natural biological processes occurring in landfills transform the waste's constituents (above listed wastes) producing leachate and landfill gas. Initially, decomposition is aerobic until the oxygen supply is exhausted. Anaerobic decomposition of buried refuse creates most of the landfill gas. Landfill gas consists mainly of methane, carbon dioxide, and nonmethane organic compounds (NMOC). NMOC is the primary regulated air pollutant associated with landfill gas generation, which was promulgated as a regulated air pollutant under the Standards of Performance for New Stationary Sources, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills (NSPS Subpart WWW). The landfill gases from K & W Landfill Inc. are vented directly into the atmosphere.

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)	1
Lead (Pb)	0
Nitrogen Oxides (NO _x)	0
Particulate Matter (PM)	0
Sulfur Dioxide (SO ₂)	0
Volatile Organic Compounds (VOCs)	1
Non Methane Organic Compounds (NMOC)	3

Individual Hazardous Air Pollutants (HAPs) **	Pounds per Year
Acrylonitrile	290
Benzene	129
Carbon Disulfide	38
Carbonyl Sulfide	25
Chlorobenzene	24
Ethyl Benzene	427
Ethyl Chloride (Chloroethane)	70
Hexane	488
Methyl Chloride (Chloromethane)	53
Methyl Ethyl Ketone	441
Methyl Isobutyl Ketone	162
Methylene Chloride	1066
Propylene Dichloride	18
1,1,2,2-Tetrachloroethane	161
Tetrachloroethylene (Perchloroethylene)	533
Toluene	3159
Trichloroethylene	55
Vinyl Chloride	396
Xylenes (isomers and mixture)	1112
Total Hazardous Air Pollutants (HAPs)	7714

**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 Ontonagan County, which is currently designated by the U.S. Environmental Protection Agency (USEPA) as attainment/unclassified for all criteria pollutants. Additionally, the stationary source is not considered a major source of Hazardous Air Pollutant (HAP) emissions because the potential to emit of any single HAP regulated by the Federal Clean Air Act, Section 112 is less than 10 tons per year and the potential to emit of all HAPs combined is less than 25 tons per year.

No emissions units at the stationary source are currently subject to the Prevention of Significant Deterioration (PSD) regulations of Part 18, Prevention of Significant Deterioration of Air Quality of Act 451.

The stationary source is subject to Title 40 of the Code of Federal Regulations (CFR), Part 70, because the source is subject to NSPS WWW per 40 CFR, Part 60.752(b). The source is subject to NSPS WWW because K & W's design capacity exceeds 2.5 million megagrams and 2.5 million cubic meters. EULANDFILL<50 at the stationary source is subject to the New Source Performance Standards for Municipal Solid Waste Landfills promulgated in 40 CFR, Part 60, Subparts A and WWW.

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."

No emission units are subject to the federal Compliance Assurance Monitoring rule under 40 CFR, Part 64, because all emission units at the stationary source either do not have a control device or those with a control device do not have potential pre-control emissions over the major source thresholds.

Additionally, the stationary source is subject to the asbestos regulations found in 40 CFR Part 61, 61.154 because the landfill accepts asbestos containing waste (EUASBESTOS). The ROP contains one flexible group that covers existing and future exempt cold cleaners, regulated by Act 451, Rule 611/707 (FGCOLDCLEANERS).

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-N6039-2011 are identified in Appendix 6 of the ROP.

PTI Number			
NA			

Streamlined/Subsumed Requirements

This permit does not include any streamlined/subsumed requirements pursuant to Rules 213(2) and 213(6).

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	Rule 212(4) Exemption	Rule 201 Exemption
EUTANK	Leachate Storage Tank	336.1212(4)(c)	336.1284(l)
EUENGINE	Exempt Internal Combustion Engine	336.1212(4)(d)	336.1285(g)

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 DEQ

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 U.S. Environmental Protection Agency (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 Chris Hare, Acting Upper Peninsula 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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JULY 12, 2011 STAFF REPORT ADDENDUM

Purpose

A Staff Report dated May 23, 2011, was developed in order to set forth the applicable requirements and factual basis for the draft Renewable Operating Permit (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:	Mr. Greg Johns, Site Manager 906-883-3505
AQD Contact:	Mr. Rob Dickman, Environmental Quality Analyst 231-876-4412

Summary of Pertinent Comments

Under the "Processes in Application Not Identified in Draft ROP" section of this staff report, an Exempt Internal Combustion Engine is listed in the associated table. No such engine exists at this facility.

Changes to the MAY 23, 2011 Draft ROP

Historically, ROP's issued from the Upper Peninsula District have had effective dates of July 1 or January 1. In keeping with this, the permit number has been changed to a 2012 date as the effective date will be January 1, 2012.