



GRETCHEN WHITMER
GOVERNOR

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



DANIEL EICHINGER
ACTING DIRECTOR

April 11, 2023

VIA EMAIL ONLY

Rocky Tondo
Energy Developments Pinconning, LLC
PO Box 15217
Lansing, Michigan 48901

SRN: N5985, Bay County

Dear Rocky Tondo:

VIOLATION NOTICE

On April 5, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), reviewed stack test results conducted on February 28, 2023, of Energy Developments Pinconning, LLC, located at Whitefeather Landfill 2401 East Whitefeather Road, Pinconning, Michigan. The purpose of this review was to determine Energy Developments Pinconning, LLC'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 the conditions of Renewable Operating Permit (ROP) number MI-ROP-N5985-2019.

During the review, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
FGICEENGINES	MI-ROP-N5985-2019 Special condition V.4.	Permit condition requires the site to verify formaldehyde emission rates from FGICEENGINES, at a minimum, every five years from the date of the last test. Formaldehyde emissions were last verified March 1, 2018.

The conditions of Renewable Operating Permit (ROP) number MI-ROP-N5985-2019 require the site to verify formaldehyde emission rates from FGICEENGINES, at a minimum, every five years from the date of the last test. Formaldehyde emission rates from FGICEENGINES were last verified March 1, 2018. Five years from the date of the last test was March 1, 2023. Energy Developments Pinconning, LLC completed stack

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testing of FGICEENGINES on February 28, 2023, which did not include verifying formaldehyde emission rates.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by May 2, 2023 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation 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, Bay City District, at 401 Ketchum Street, Suite B, Bay City, Michigan 48708 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor, at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Energy Developments Pinconning, LLC 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 violation cited above and for the cooperation that was extended to me during my inspection of Energy Developments Pinconning, LLC. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Gina L. McCann
Environmental Quality Specialist
Air Quality Division
989-439-2282

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Chris Hare, EGLE