



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

October 4, 2022

Rocky Tondo, North American Head of Project Delivery & Tech Services
Energy Developments, LLC
2501 Coolidge Road, Suite 100
P.O. Box 15217
Lansing, Michigan 48823

SRN: N5991, Genesee County

Dear Rocky Tondo:

VIOLATION NOTICE

On September 16, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), received the “Regulatory Analysis for Replacement of Engine #7”. The Engine #7 (EUENGINE7) is located at Energy Developments Grand Blanc, 2361 West Grand Blanc Road, Grand Blanc, Michigan. The purpose of this analysis is to demonstrate 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; Source-Wide Permit to Install (PTI) number MI-PTI-N5991-2016; and the conditions of Renewable Operating Permit (ROP) number MI-ROP-N5991-2016.

The following was demonstrated:

Process Description	Rule/Permit Condition Violated	Comments
EUENGINE7 - Caterpillar 3520 landfill gas-fired reciprocating engine located in Plant 2	Rule 201	The facility replaced a landfill gas-fired engine using the “like-for-like” policy, and the regulatory applicability of the replacement landfill gas-fired engine is different than EUENGINE7.

There is “like-for-like” (engine swap) policy and procedure, AQD-023: Replacement of Engines, Compressors, or Turbines as Part of a Normal Maintenance Program at Landfill Gas-To-Energy Facilities. The “Regulatory Analysis for Replacement of Engine #7” dated March 26, 2019, documents the engine swap evaluation process done by Energy Developments Grand Blanc per policy and procedure AQD-023. With the September 16, 2022, submittal, it is noted that an incorrect date was included in the previous version of the engine swap memo that was provided to AQD. This has been

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corrected in the revised engine swap memo and results in a change in regulatory applicability.

EUENGINE7 is operating under the requirements in Source-Wide PTI number MI-PTI-N5991-2016, and this process is also subject to the federal New Source Performance Standards (NSPS) as specified in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subparts A and JJJJ, and the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) for 40 CFR Part 63, Subparts A and ZZZZ. These federal regulations are requirements in the Source-Wide PTI number MI-PTI-N5991-2016 and ROP number MI-ROP-N5991-2016.

The replacement engine for EUENGINE7 is not subject to 40 CFR Part 60, Subparts A and JJJJ which is a change in the regulatory applicability. If the regulatory applicability of the replacement engine is different, this is a violation of Rule 201 of the administrative rules promulgated under Act 451.

A program for compliance may include a completed PTI application for the replaced engine. An application form is available by request, or at the following website: www.michigan.gov/air.

Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by October 25, 2022, (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, Lansing District, at P.O. Box 30242, Lansing, Michigan 48909-7742, and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Energy Developments Grand Blanc 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.

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Thank you for your attention to resolving the violation cited above. 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,

A handwritten signature in black ink, appearing to read "Julie L. Brunner". The signature is written in a cursive style with a large initial "J".

Julie L. Brunner, P.E.
Environmental Quality Specialist
Air Quality Division
517-275-0415

cc: Meghan Stackhouse, Energy Developments, LLC
Courtney Truett, Energy Developments LLC
Mary Ann Dolehanty, EGLE
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Robert Byrnes, EGLE