



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

October 4, 2021

Mr. Daniel Meccariello  
Generate Capital  
555 De Haro Street, Suite 300  
San Francisco, California 94107

SRN: N8210, Newaygo County

Dear Mr. Meccariello:

**VIOLATION NOTICE**

The Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), received the monthly recordkeeping for July and August 2021, as required by the permit held by Generate Fremont Digester, LLC located at 1634 Locust Street, Fremont, Michigan. The records were reviewed to determine Generate Fremont Digester, 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 Permit to Install (PTI) number 378-08B.

During the review, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
FGBIOGAS	PTI No. 378-08B, FGBIOGAS, Special Condition (SC) II.2	Exceedance of the H2S concentration material limit.
FGICENGINES	PTI No. 378-08B, FGICENGINES, SC II.2	Combustion of gas with a hydrogen sulfide content of greater than 1,730 pm in FGICENGINES.
FGICENGINES	PTI No. 378-08B, FGICENGINES, SC V.1	Failure to verify NOx and CO emission rates from each engine in FGICENGINES.
FGICENGINES	PTI No. 378-08B, FGICENGINES, SC V.2	Failure to conduct emissions testing for SO2 within 180 days of permit issuance.

<b>Process Description</b>	<b>Rule/Permit Condition Violated</b>	<b>Comments</b>
FGRICENSPS	PTI No. 378-08B, FGRICENSPS, SC V.1 and 40 CFR Part 60, Subpart JJJJ	Failure to conduct performance testing every 8760 hours of operation.

The records provided demonstrate that the H<sub>2</sub>S concentration of the biogas combusted in FGBIOGAS exceeded the limit of 1,730 parts per million by volume (ppmv) specified in PTI No. 378-08B, FGBIOGAS, SC II.2 on 9 instances on July 19 – 21, 2021, July 23, 2021, and August 7 – 11, 2021 at concentrations of 1,936 ppmv, 2,226 ppmv, 1,902 ppmv, 2,099 ppmv, 1,824 ppmv, 2,188 ppmv, 2,426 ppmv, 3,033 ppmv, and 1,791 ppmv, respectively.

The engines that burn the biogas are subject to the federal New Source Performance Standards (NSPS) for Stationary Spark Ignition Internal Combustion Engines. These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart JJJJ. Testing for NO<sub>x</sub>, CO, and VOC is required under this Federal Regulation to be conducted every 3 years or every 8,760 hours of operation, whichever comes first, as specified in PTI No. 378-08B, FGRICENSPS, SC. V.1. Per records obtained from Generate Fremont Digester the Engines are operating at 11,773 hours and 10,012 hours for EUENGINE1 and EUENGINE2, respectively, a violation of FGRICENSPS, SC V.1 and the NSPS.

In addition to the required testing under the NSPS, FGICENGINES, SC V.1 and 2 require testing for NO<sub>x</sub>, CO, and SO<sub>2</sub>. The testing for NO<sub>x</sub> and CO is required to be conducted at the same frequency as the testing required under the NSPS, and SO<sub>2</sub> testing shall occur within 180 days of permit issuance. Both the 180 days and the 8,760 hours of engine operation have been exceeded. The failure to test within these specified ranges are a violation of PTI No. 378-08B ,FGICENGINES, SC V.1 and a continued violation of SC V.2.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by October 25, 2021 (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.

Mr. Daniel Meccariello  
Generate Capital  
Page 3  
October 4, 2021

Please submit the written response to EGLE, AQD, Grand Rapids District, at 350 Ottawa Avenue NW, Unit 10, Grand Rapids, Michigan 49505 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Generate Fremont Digester, 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 violations cited above and for the cooperation. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Kaitlyn DeVries  
Senior Environmental Quality Analyst  
Air Quality Division  
616-558-0552

cc: Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Ms. Jenine Camilleri, EGLE  
Mr. Christopher Ethridge, EGLE  
Ms. Heidi Hollenbach, EGLE