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November 15, 2019

Ms. Jill Zimmerman
Environmental Engineer, Air Quality Division
Environment, Great Lakes and Energy
Detroit Field Office
Cadillac Place
3058 West Grand Boulevard
Suite 2-300
Detroit, MI 48202-6058

RE: Response to Notice of Violation
Ameresco Woodland Meadows Romulus LLC – Canton, Michigan
SRN: P0317
ROP No.: MI-ROP-P0317-2012a
PTI No.: 61-16

Dear Ms. Zimmerman:

Ameresco Woodland Meadows Romulus LLC (Ameresco) is submitting to the Department of Environment, Great Lakes and Energy (EGLE) Air Quality Division this response regarding a Violation Notice received for the Ameresco facility dated October 28, 2019 (see Attachment A).

Ameresco's Permit to Install No. 61-16 Condition III.2 for EUHBTUENCL (enclosed flare) requires that the temperature monitor for the enclosed flare be calibrated annually to confirm accuracy. The enclosed flare temperature monitors were calibrated upon initial installation in 2017, however were not calibrated in calendar year 2018, therefore one (1) calibration event for the monitors was missed. Ameresco detected and proactively reported this matter to the EGLE and resubmitted the 2018 Annual Compliance Certification Report and Semi-Annual Monitoring Report for July 1 to December 31, 2018 on September 23, 2019 noting this as a deviation.

This failure was caused by a misunderstanding on the part of the onsite Plant Specialists assigned to the facility. Although the requirement to perform this action was identified as a compliance obligation for the facility, the Plant Specialists assumed that the devices did not need to be calibrated given that the manufacturer's stated stability far exceeds the annual requirement. While compliance and management personnel audit plant records to ensure completion of required compliance tasks, absence of the calibration record was not detected until September of 2019.

Upon realization that the monitors were not calibrated in 2018, Ameresco staff scheduled to have the temperature monitors calibrated as soon as feasible, and the monitors were calibrated on September 10, 2019. The calibration work performed on September 10, 2019 indicated that all eight (8) of the enclosed flare temperature monitors were within proper range as found and no adjustment to the devices were made, which demonstrates that the monitors have been functioning as required since installation. Certificates of calibration are filed onsite and are provided in Attachment B of this submittal.

Ameresco's Permit to Install No. 61-16 Condition III.2, which specifies the annual calibration of the temperature monitors, references Michigan Administrative Codes R336.1205(1)(a) and R 336.1225. These code sections provide various Permit to Install requirements, but do not specify temperature monitor calibration requirements. Ameresco is aware that Federal Code 40 CFR 60.756(b) specifies the following:

*“Each owner or operator seeking to comply with §60.752(b)(2)(iii) using an enclosed combustor shall calibrate, maintain, and operate according to the manufacturer's specifications, the following equipment.
(1) A temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ± 1 percent of the temperature being measured expressed in degrees Celsius or ± 0.5 degrees Celsius, whichever is greater.”*

Based on information provided to Ameresco by the manufacturer of the temperature monitors (Emerson/Rosemount), Ameresco understands that the monitors in this application are designed not to exceed a 1% error in a three (3) year period. Given this information from the manufacturer, Ameresco understands it has met the Federal Code 40 CFR 60.752 requirements noted above.

Ameresco's understands its failure to perform the monitor calibration in 2018 falls short of the letter of the permit, but believes that it has exceeded the spirit of the permit by implementing a state-of-the-art transmitter with stability far better than that required. Given that Ameresco met all known code requirements for compliance, that Ameresco self-reported the violation to EGLE upon detection, that subsequent calibration of the monitors on September 10, 2019 validated the manufactures design and proved continuous compliance, and given that no excess emissions resulted from this oversight,, Ameresco respectfully requests that EGLE consider rescinding its Violation Notice.

Regardless of EGLE's position on the Violation Notice, Ameresco intends to submit a permit modification request to modify the temperature monitor calibration frequency from annual to that recommended by the manufacturer in accordance with its understanding of the applicable codes. Ameresco recognizes however, that the permit requirement may be based on a code requirement that Ameresco has not identified. To that end, Ameresco requests EGLE provide the code basis for the annual calibration requirement in the permit.

It is Ameresco's intention to operate the Ameresco Woodland Meadows Romulus facility in full compliance with all applicable environmental regulations and permit requirements, and we take this matter very seriously. The three (3) current Plant Specialists have been re-trained on the facility's environmental compliance procedures, including the requirement to calibrate the enclosed flare temperature monitors annually. This re-training stressed the importance of strictly adhering to company procedures which are designed to ensure compliance to the letter of all applicable environmental regulations and permit requirements. The Ameresco Compliance Officer and Regional Manager have also been tasked with implementing improvements to the auditing system to better ensure that errors are detected before they become permit deviations. Ameresco is confident that temperature monitor calibrations will be completed in accordance with the letter of the permit going forward.

Should you have any questions regarding the information and request provided in the submittal, or require any additional information, please don't hesitate to contact me at (508) 598-4386 or smiths@ameresco.com. Ameresco would also be happy to arrange a phone conference call to discuss the matter further should EGLE staff desire.

Respectfully submitted,



Mr. Nathan Hall
Vice President – Asset Operations
Ameresco Woodland Meadows Romulus LLC
By: AMERESCO, Inc. Its Sole Member

cc: Mr. R. Peary, Mr. J. Quarles, Ms. S. Smith – Ameresco