



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DETROIT FIELD OFFICE



DAN WYANT  
DIRECTOR

November 16, 2015

Mr. Linwood Bubar, President  
Detroit Thermal Beacon Heating Plant  
541 Madison  
Detroit, MI 48226

SRN: B2814, Wayne County

Dear Mr. Bubar:

**VIOLATION NOTICE**

On September 13, 2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) staff, Mr. Tom Maza, attended a stack test and relative accuracy test audit (RATA) for EU-BOILER7 at Detroit Thermal Beacon Heating Plant (Detroit Thermal) located at 541 Madison, Detroit, Michigan. The purpose of the stack test and RATA was to determine Detroit Thermal'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 administrative rules and the conditions of Renewable Operating Permit (ROP) number MI-ROP-B2814-2014.

On September 13, 2015, the stack test and RATA were discontinued. Detroit Thermal alleges that a malfunction of the flue gas recirculation system resulted in high nitrogen oxide (NOx) emissions from EU-BOILER7. Following correction of the malfunctioning equipment, the test was rescheduled and took place on September 26, 2015. On September 26 and September 29, 2015, Detroit Thermal provided the AQD with predictive emissions monitoring system (PEMS) data for August 31, 2015 through September 13, 2015, along with the relative accuracy audit (RAA) report dated March 23, 2015. On November 13, 2015, Detroit Thermal provided the AQD with hourly PEMS data for EU-BOILER7 from September 17, 2014 through September 30, 2015.

As a result of review of PEMS data provided and the March 23, 2015 RAA report, the AQD has identified the following:

Process Description	Rule/Permit Condition Violated	Comments
EU-BOILER7	MI-ROP-B2814-2014: FG-BOILERS_6,7, SC I.1.1d;  40 CFR 52.21(j)	The NOx emission limit (0.036 lb/MMBtu) has been exceeded regularly on an hourly basis since September 17, 2014. The March 2015 RAA also indicates an exceedance of the NOx emission limit.

EU-BOILER7	MI-ROP-B2814-2014: FG-BOILERS_6,7, SCs VII.1 through 3;  R 336.1213(3)(c)  R 336.1213(4)(c)	The Responsible Official submitted annual and semi-annual ROP certifications 2014 and 2015 which failed to promptly report deviations and emission exceedances, which should have been reported based on reasonable inquiry.
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The last verified successful RATA for EU-BOILER7 was completed on September 17, 2014. The March 23, 2015 RAA measured a NOx emission rate of 0.053 pound per million British thermal unit (lb/MMBtu). PEMS data provided for September 17, 2014 through September 30, 2015 indicates that the NOx emission rate has been exceeded regularly on an hourly basis. PEMS data provided following the RATA conducted on September 26, 2015 indicates NOx emissions continue to exceed the NOx emission limit, despite the adjustments made to the flue gas recirculation system. Based on the records submitted, AQD counts over 1,400 individual exceedances of the hourly NOx emission limit between September 16, 2014 and September 30, 2015.

The NOx emission limit was established as Best Available Control Technology (BACT) under Prevention of Significant Deterioration (PSD) via permit to install (PTI) 63-05. Exceedance of the NOx emission limit represents violations of 40 CFR 52.21(j).

Each NOx emission exceedances represents a deviation from ROP requirements. The AQD administrative rules at R 336.1213(3)(c) require the reporting of deviations not less than once every 6 months, and further require the report to be certified by the facility's responsible official for its truth, accuracy, and completeness after reasonable inquiry. The administrative rules at R 336.1213(4)(c) also require an annual certification of compliance from the facility's responsible official, excepting those deviations identified by the facility after reasonable inquiry. These requirements are incorporated into the ROP at SCs VII.1 through 3 of FG-BOILERS\_6,7.

The NOx emission limit exceedances were not reported during the 2014 ROP annual and semi-annual certifications and also not reported in the semi-annual certification for January 1, 2015 through June 30, 2015.

Additionally, the PEMS data provided on September 26, 2015 demonstrates that on September 13, 2015 the original PEMS model under predicted NOx emissions significantly. The AQD considers this a failure of the PEMS. Therefore, quarterly RAAs should be resumed as required under FG-BOILER\_6,7, SC V. 4. Quarterly RAAs should be conducted until the PEMS successfully passes both a year of RAAs and subsequent RATA.

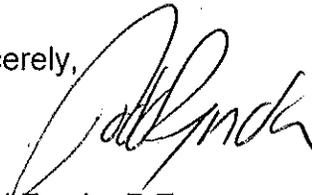
Mr. Linwood Bubar  
Page 3  
November 16, 2015

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by December 7, 2015 (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.

If Detroit Thermal 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 that was extended to me during my inspection of Detroit Thermal. 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,



Todd Zynda, P.E.  
Environmental Engineer  
Air Quality Division  
313-456-2761

TZ/DC

cc/via e-mail: Mr. Marcus Ellis, Detroit Thermal  
Ms. Lynn Fiedler, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Ms. Teresa Seidel, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Wilhemina McLemore, DEQ  
Mr. Jeff Korniski, DEQ  
Mr. Thomas Maza, DEQ