



GRETCHEN WHITMER
GOVERNOR

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

EGLE
DANIEL EICHINGER
ACTING DIRECTOR

February 21, 2023

David Weber, EMS Manager
Valicor Environmental Services
1045 Reed Road
Monroe, OH 45050

SRN: B9080, Wayne County

Dear David Weber:

VIOLATION NOTICE

On February 14, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), visited the Valicor Environmental Services Dearborn facility, located at 6011 Wyoming Avenue, Dearborn, Michigan. The purpose of this investigation was to determine the compliance of the Valicor Dearborn facility 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 305-04A.

During the investigation, the following violations were observed:

Process Description	Rule/Permit Condition Violated	Comments
EUSTABILIZE – a non-hazardous liquid and solid waste stabilization operation that includes processing chambers located inside of a building.	PTI No. 305-04A, Special Condition (SC) 1.3.	SC 1.3 requires that the permittee keep the doors and windows of the processing building closed while processing waste material. Processing took place while some of the bay doors on the stabilization were either open or not fully closed due to damage or other issues related to the doors.
EUSTABILIZE	PTI No. 305-04A, SC 1.6.	SC 1.6 requires the permittee to maintain negative pressure in the EUSTABLIZE building during normal operations. EUSTABLIZE operated with some of the building’s bay doors either open or not fully closed, such that negative pressure was not maintained.

EUSTABILIZE	PTI No. 305-04A, SC 1.7; R 336.1910	SC 1.7 puts forth that the permittee shall not operate EUSTABLIZE unless the wet scrubber is installed, maintained and operated in a satisfactory manner. EUSTABLIZE was operated at times when one or both of the two scrubbers associated with EUSTABLIZE were not operational.
EUSTABILIZE	PTI No. 305-04A, SC 1.9.	SC 1.9 requires that the permittee verify the negative static pressure in the waste treatment building associated with EUSTABLIZE. SC 1.9 puts forth guidelines for the testing negative static pressure testing procedure and requires that the testing be performed at least once every year. Testing to verify the negative static pressure in the waste treatment building has not been conducted within the last year.
EUSTABILIZE	Consent Order AQD Order No. 35-2005, paragraph 2.29	Paragraph 2.29 puts forth that the facility shall fully comply with the terms and conditions of Permit to Install No. 305-04A. Paragraph 2.16 puts forth that PTI No. 305-04A is an enforceable part of AQD Order No. 35-2005. EGLE-AQD has cited violations of SCs 1.3, 1.6, 1.7 and 1.9 of PTI No. 305-04A.
EUSTABILIZE	Consent Order AQD Order No. 35-2005, paragraph 5.2	Paragraph 5.2 requires that any violation(s) of the terms and conditions of the Consent Order be verbally reported to EGLE District Supervisors no later than the close of the next business day following the detection of the violation(s), and followed up with a written report within five days following the detection of the violation(s). The written report is to include a detailed description of the violation(s), the precise causes of

		the violation(s), and a schedule of implementation of any proposed corrective action(s). EGLE-AQD did not receive notification of the violations cited in this correspondence.
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AQD Order No. 35-2005 was entered between DEQ-AQD and Comprehensive Environmental Solutions, Inc. with an effective date of October 4, 2005. Paragraph 11.8 of the Order put forth the following:

“The provisions of this Consent Order shall be binding on the Respondent, the DEQ, and their successors and assigns. The Respondent shall give notice of this Consent Order to any prospective successor in Interest prior to transfer of ownership of the Disposal Area property or any portion thereof and shall notify the DEQ of such proposed sale or transfer.”

Paragraph 12.1 of the Order provides that the Order remains in full force and effect until it is terminated by a written Notice of Termination issued by EGLE Division Chiefs, and that the Respondent may request that the Division Chiefs issue a written Notice of Termination at any time after achieving full compliance with the Order. EGLE-AQD does not have record of requests to terminate AQD Order No. 35-2005 by Comprehensive Environmental Solutions, Inc. or any of the successors to the facility. As such, AQD Order No. 35-2005 is assumed to still be in full force and effect.

During the investigation performed on February 14, 2023, I met and spoke with Valicor Dearborn facility staff from 3:05 PM – 3:35 PM. We discussed ongoing issues related to the operation of the two scrubbers at the EUSTABLIZE building, as well as issues related to some of the bay doors associated with the building. I was provided with some timelines for the issues involving the scrubbers and the bay doors, including how long the issues have been ongoing, and when the necessary repairs will take place. We also discussed waste processing operations in EUSTABLIZE in the time since the scrubber and bay door issues have been present.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by March 14, 2023 (which coincides with 21 calendar days from the date of this letter). The written response should include: the date the violations occurred; an explanation of the cause 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.

Please submit the written response to the EGLE, AQD, Detroit District, at 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at the EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

David Weber
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If Valicor believes that the above observations or statements are inaccurate or do not constitute a violation 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. 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,



Stephen Weis
Senior Environmental Engineer
Air Quality Division
313-720-5831

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Dr. April Wendling, EGLE
Jeff Korniski, EGLE
Mary Carnagie, EGLE
Greg Morrow, EGLE
Jennifer Hazelton, EGLE