



Submitted electronically and UPS: Tracking No. 1ZA820A70111733718

May 1, 2023

Michigan Department of Energy, Great Lakes and Environment – Air Quality Division
Bay City District Office
401 Ketchum Street, Suite B
Bay City, MI 48708

Re: April 11, 2023 Notice of Violation Response
Energy Developments Pinconning, LLC
State Registration No.: N5985
Renewable Operating Permit No.: MI-ROP-N5985-2019 (Section 2)

To whom it may concern:

In response to the Michigan Department of Energy, Great Lakes and Environment (EGLE) Air Quality Division (AQD) Notice of Violation (NOV) dated April 11, 2023, EDL Energy (EDL), owner of Energy Developments Pinconning, LLC (EDP), submits this document which provides the NOV-required response information: *“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.”*

Description of Alleged Violations (from NOV)

The April 11, 2023 NOV included the following description of the alleged violation based on review of the facility's stack test results for the February 28, 2023 testing event:

During the review, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
FGICENGINES	MI-ROP-N5985-2019 Special condition V.4.	Permit condition requires the site to verify formaldehyde emission rates from FGICEENGINES, at a minimum, every five years from the date of the last test. Formaldehyde emissions were last verified March 1, 2018.

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The conditions of Renewable Operating Permit (ROP) number MI-ROP-N5985-2019 require the site to verify formaldehyde emission rates from FGICEENGINES, at a minimum, every five years from the date of the last test. Formaldehyde emission rates from FGICEENGINES were last verified March 1, 2018. Five years from the date of the last test was March 1, 2023. Energy Developments Pinconning, LLC completed stack testing of FGICEENGINES on February 28, 2023, which did not include verifying formaldehyde emission rates.

Summary of Alleged Violation

The ROP MI-ROP-N5985-2019, Special Condition V.4. required formaldehyde emission rate verification was not conducted by the March 1, 2023. The formaldehyde testing requirement was noted during the facility Annual Compliance Certification Report preparation. Unfortunately, formaldehyde testing was inadvertently omitted from the February 2023 testing event.

Corrective Actions

Once the exclusion of the required formaldehyde testing was discovered, the ability to test prior to the 5-year mark without violating protocol submittal requirements was not possible. EDP immediately contacted our testing company to develop and submit a test protocol and schedule the testing as soon as possible after the 30-day protocol submission period.

The test protocol was submitted March 16, 2023, and the testing event was scheduled and subsequently performed on April 26, 2023. The formaldehyde emission rates were verified during the testing event and will be formally documented in the facility's Air Emission Test Report which is anticipated to be submitted the week of May 1, 2023.

The alleged violation was corrected with the completion of the testing event and the duration of unverified formaldehyde emission rates occurred from March 1, 2023 through April 25, 2023.

Recurrence Prevention

A review of our stack testing program was initiated after the formaldehyde testing deficiency was identified. Based on the review, the following actions have been performed and new procedures implemented.

- Implementation of a Permit-Required Stack Testing Tracking spreadsheet
- Use of consultants to:
 - Verify stack testing required by the facility permit(s);
 - Review of testing contractor's test protocols and test reports to ensure compliance with permit testing requirements; and
 - Review of issued permits (renewals and modifications) to identify updates to stack testing requirements/schedules.



If you have any questions, please contact me at (517) 243-3676 or meghan.stackhouse@edlenergy.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Meghan Stackhouse', with a long horizontal flourish extending to the right.

Meghan Stackhouse
Senior Environmental Manager
EDL Energy

cc: Rocky Tondo, Courtney Truett, Elizabeth Park – EDL Energy (electronic)
Jenine Camilleri – EGLE Enforcement Unit (hard copy)
Gina McCann, Annette Switzer, Christopher Ethridge, Brad Myott, Chris Hare – EGLE (electronic)
Taryn Weiner – Geosyntec (electronic)