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May 15, 2015

DEQ-AQD LANSING D.O.

MAY 19 2015

Brad Myott
Acting District Supervisor
MDEQ - Air Quality Division
525 W. Allegan
Lansing, MI 48909-7760

Re: Renewable Operating Permit (ROP) Renewal Application
Brent Run Landfill, Inc.
MI-ROP-N5987-2010a (Section 1)

Dear Mr. Myott:

Cornerstone Environmental Group, LLC (Cornerstone), on behalf of Brent Run Landfill, Inc. (Brent Run) respectfully submits the attached revised ROP Application Forms (Part C, Item C7 and Part D), Responsible Official Form C-001, and the Landfill Start-up, Shut-down, and Malfunction (SSM) Plan. These items are being submitted in response to a Michigan Department of Environmental Quality (MDEQ) Violation Notice dated May 7, 2015 and received digitally (unsigned) on May 12, 2015. This response is only applicable to those issues concerning Section 1 of the permit application. Responses to Section 2 are being submitted under a separate cover letter. Please find below our responses to the items listed in the above referenced letter.

As discussed below, it is Cornerstone's technical opinion that the submittal was administratively complete and that the Violation Notice should not be (or have been) issued.

Comment:

Item C7 asks if the source has any plans, such as a malfunction abatement plan, fugitive dust plan, operation/maintenance plan, or any other monitoring plan that is referenced in an existing ROP. The administrative completeness check involves not only determining if all boxes have been checked but also the accuracy of the statements in Part C. EUACTIVECOLL, Section IX Other Requirements, Condition 4 requires that a written SSM plan be developed and implemented. EUTREATMENTSYS, Section IX Other Requirements, Condition 2 also requires that a written SSM plan be developed and implemented. Because of these requirements, an

administratively complete application would include checking "Yes" for item C7 and including the SSM plans for these two emission units in the ROP application.

Response:

Please find attached the revised Part C Application Form as well as the facilities current SSM Plan. However, it is our technical opinion that the SSM plan is not required to be submitted for an administratively complete permit application as there is no underlying requirement within the standard requiring the submittal of this document. The following is an excerpt from Page 15 of 49 of the MDEQ ROP Guidance for Part C7 and the corresponding Federal Regulation for development and submittal of the SSM Plan:

C7. Select "Yes" if the stationary source has any monitoring plans including malfunction abatement plans, fugitive dust plans, operation/maintenance plans, or any other monitoring plans that are required in an existing ROP, Permit to Install requirement, or any other applicable requirement.

If "Yes", you will need to include the document as part of the ROP renewal application package. Check the "Other" box on Part B and list the plan that is attached.

Essentially any plan that is referenced in an ROP, Permit to Install requirement, or other applicable requirement that is used to demonstrate compliance must be submitted as part of the application.

This is also true for startup, shutdown, malfunction plans required under MACT standards unless specified differently within the standard.

40 CFR 63.1960

Finally, you must develop a written SSM plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM plan must be maintained on site. Failure to write or maintain a copy of the SSM plan is a deviation from the requirements of this subpart.

A copy of the SSM Plan has been maintained onsite at all times since the document was issued in January 2004. Therefore, Brent Run and Cornerstone request that MDEQ retract this finding.

Comment:

Item D1 requires that any emission units that do not appear in the existing ROP but are required to be listed in the ROP application under R 212(4) should be identified in the Part D table. While the R 212 exemption was listed for all units, the Rule 201 exemption for all but Wasteoil, Proptank01, Proptank02 and Coldcleaner, was not included. For the application to be administratively complete, the Rule 201 exemptions for each unit should also be listed.

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Response:

Please find attached the revised Part D Application Form listing the Rule 201 exemptions for each unit. Additionally two units are being completely removed from the application as there are no emissions associated with the units as they are electric units that should not have been listed in the original application. It is our technical opinion however, that omitting the Rule 201 exemptions was not cause for an administratively incomplete determination as the instructions and form do not explicitly state that both exemptions are required to be listed. Therefore, Brent Run and Cornerstone request that MDEQ retract this finding.

If you have any questions regarding the attached reports, please contact Mr. Tim Church with Brent Run at (810) 639-1700 or the undersigned at (630) 633-5853.

Sincerely,

Cornerstone Environmental Group, LLC

A handwritten signature in cursive script that reads "Matthew P Boudreau".

Matthew Boudreau, P.E.
Project Manager

A handwritten signature in cursive script that reads "Edwin P Valis, Jr.".

Edwin P Valis, Jr.
Senior Project Manager

Enclosure: ROP Application Certification Form C-001
ROP Application Form AI-001
ROP Application Forms C & D
Brent Run Landfill SSM Plan

cc: Tim Church, Curt Taylor - Brent Run Landfill (Electronically)
Dan Zimmerman - Granger (Electronically)