



GRETCHEN WHITMER  
GOVERNOR

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



PHILLIP D. ROOS  
DIRECTOR

January 8, 2024

VIA EMAIL

Rocky Tondo  
Energy Developments Grand Blanc LLC  
PO Box 14217  
Lansing, Michigan 48901

SRN: N5991, Genesee County

Dear Rocky Tondo:

### **SECOND VIOLATION NOTICE**

The Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), has received the 1<sup>st</sup> semiannual 2023 compliance report for Energy Developments Grand Blanc (EDGB) located at 2361 West Grand Blanc Road, Grand Blanc, Michigan. The purpose of this semiannual compliance report was to report EDGB'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 Air Pollution Control Rules; and the conditions of Renewable Operating Permit (ROP) number MI-ROP-N5991-2016.

On December 7, 2023, the AQD sent EDGB a Violation Notice (VN) citing violations noted in the 1<sup>st</sup> semiannual 2023 compliance report and requested your written response by December 29, 2023. A copy of that letter is enclosed for your reference. EDGB submitted a Response to Violation Notice on December 28, 2023, however, the AQD has determined that this response does not sufficiently address the requested additional information and requires further follow up.

The first additional piece of information requested in the December 7, 2023, VN was an explanation of how the duration of venting events was determined. The EDGB December 29, 2023, response noted:

"The duration of the venting events was determined through discussion with site personnel which noted that each event lasted between two (2) and three (3) minutes. This allowed for purging of the small volume of high oxygen gas present within the system. For emission calculations, EDGB conservatively utilized five (5) minutes for the event durations."

However, in the 1<sup>st</sup> semiannual 2023 compliance report Table 1 Treatment System downtime, the following durations were noted for the dates of the events:

| Start Downtime | End Downtime  | Duration of Event (Hr) | Reason             |
|----------------|---------------|------------------------|--------------------|
| 1/30/23 9:00   | 1/30/23       | 1.0                    | Landfill O2        |
| 2/20/23 15:00  | 2/20/23 17:30 | 2.5                    | High O2            |
| 4/5/23 10:09   | 4/5/23 10:33  | 0.4                    | High O2 Plant Trip |
| 4/13/23 14:48  | 4/13/23 15:30 | 0.7                    | High O2            |
| 6/15/23 5:02   | 6/15/23 15:05 | 10.0                   | Plant Trip High O2 |
| 6/15/23 20:26  | 6/16/23 9:03  | 12.6                   | High O2            |
| 6/20/23 8:50   | 6/20/23 9:19  | 0.5                    | High O2            |

Please submit a written response to this Second Violation Notice by January 29, 2024, (which coincides with 21 calendar days from the date of this letter). The written response should include:

An explanation of difference in the duration of the venting events and the duration of the treatment system downtime. As required by MI-ROP-N5991-2016 EUTREATMENTSYS SC VII.4.b and c., this explanation should include a description and duration of all periods when the gas stream is diverted from the treatment system through a bypass line or the indication of bypass flow and a description and duration of all periods when the treatment system was not operating for a period exceeding 1 hour and length of time the control device was not operating.

Also, the VN response indicated that the site modification to ensure that treated LFG is controlled in the future was the installation of a solar flare. The VN response noted that an air permit applicability determination was performed for the solar flare. Please submit a copy of a Rule 278a permit to install exemption demonstration for the solar flare. EDGB should also make sure that the solar flare complies with the federal requirements of 40 CFR Part 62 Subpart OOO – Federal Plan Requirements for Municipal Solid Waste Landfills that Commenced Construction On or Before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014, and 40 CFR Part 63 Subpart AAAA – NESHAP for Municipal Solid Waste Landfills. EDGB should review what renewable operating permit (ROP) Rule 215 change notification or Rule 216 amendment/modification application needs to be submitted to incorporate the new solar flare into the ROP.

Please submit the written response to Matt Karl at EGLE, AQD, Lansing District, at P.O. Box 30242, Lansing, Michigan 48909-7742 and karlm@michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If EDGB 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.

Rocky Tondo  
Energy Developments Grand Blanc, LLC  
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January 8, 2024

Thank you for your attention to resolving the violation cited above and for the cooperation that was extended to me during my inquiry about the semiannual compliance report for EDGB. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,

A handwritten signature in blue ink that reads "Matthew R. Karl".

Matt Karl  
Senior Environmental Quality Analyst  
Air Quality Division  
517-282-2126

Enclosure

cc: Meghan Stackhouse, EDL Energy  
Sarah Marshall, EPA Region 5  
Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Jenine Camilleri, EGLE  
Bob Byrnes, EGLE



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STATE OF MICHIGAN  
DEPARTMENT OF  
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PHILLIP D. ROOS  
DIRECTOR

December 7, 2023

VIA EMAIL

Rocky Tondo  
Energy Developments Grand Blanc LLC  
PO Box 14217  
Lansing, Michigan 48901

SRN: N5991, Genesee County

Dear Rocky Tondo:

**VIOLATION NOTICE**

The Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), has received the first semiannual 2023 compliance report for Energy Developments Grand Blanc (EDGB) located at 2361 West Grand Blanc Road, Grand Blanc, Michigan. The purpose of this semiannual compliance report was to report EDGB'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 Air Pollution Control Rules; and the conditions of Renewable Operating Permit (ROP) number MI-ROP-N5991-2016.

During the review of the semiannual compliance report, staff observed the following:

| Process Description                                  | Rule/Permit Condition Violated  | Comments   |
|--|---|--|
| Landfill Gas (LFG) Treatment System (EUTREATMENTSYS) | ROP No. MI-ROP-N5991-2016 Section 2. EUTREATMENTSYS, Special Condition (SC) III.2 -<br><br>40 CFR 60.752(b)(2)(iii)(C); 40 CFR 63.1955(a)*<br><br>40 CFR 62.16714(c)(3); 40 CFR 63.1959(b)(2)(iii)(C) | In the semiannual compliance report, the facility noted six (6) occurrences where the facility vented treated landfill gas (LFG) to the ambient air. |

\*The stationary source was subject to the Standards of Performance for Municipal Solid Waste Landfills promulgated in 40 CFR Part 60, Subpart WWW. On June 21, 2021, the facility became subject to the Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction on or Before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014, as specified in 40 CFR Part 62, Subpart OOO. Michigan is not currently the authorized representative for 40 CFR Part 62, Subpart OOO.

The semiannual compliance report noted that during the reporting period (January 1 through June 30, 2023) EDGB discovered treated Landfill Gas (LFG) was vented to the atmosphere after being processed through the treatment system, but prior to combustion in the engines using a release valve on six (6) occasions. The release of the treated LFG was not controlled in accordance with the ROP, or the applicable federal regulatory requirements noted in the table above, which specify that “venting of treated LFG to the ambient air is not allowed”. The current ROP references underlying applicable requirements (UARs) for 40 CFR 60.762(b)(2)(iii)(C) and 40 CFR 63.1955(a), however, these requirements have been superseded since the issuance of the ROP by 40 CFR 62.16714(c)(3) and 40 CFR 63.1959(b)(2)(iii)(C); therefore, both are noted in the table above. The semiannual compliance report noted that it was conservatively estimated that each event lasted no more than five (5) minutes each and occurred on January 30, 2023, February 20, 2023, April 5 and 13, 2023 and June 15 and 20, 2023. The semiannual compliance report noted that corrective measures included EDGB contracting a consultant to evaluate the facility and design a modification for the LFG treatment system to ensure treated LFG that cannot be routed for subsequent sale or beneficial use is routed to a control device which complies with either 40 CFR 60.752 (b)(3)(iii)(A) or (B), which have been superseded by the requirements of 40 CFR 62.16714(c)(1) or (2) and 40 CFR 63.1959(b)(2)(iii)(A) or (B).

Please submit a written response to this Violation Notice by December 29, 2023, (which coincides with 21 calendar days from the date of this letter). The written response should include: an explanation of how the duration of the venting events was determined, an estimation of the amount of treated landfill gas emissions; a description of the modifications made to the LFG gas treatment system to ensure that treated LFG that cannot be routed for subsequent sale or beneficial reuse is routed to an appropriate control device.

Please submit the written response to Matt Karl at EGLE, AQD, Lansing District, at P.O. Box 30242, Lansing, Michigan 48909-7742 and KarlM@michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If EDGB 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 violation cited above and for the cooperation that was extended to me during my inquiry about the semiannual compliance report for EDGB.

Rocky Tondo  
Energy Developments Grand Blanc LLC  
Page 3  
December 8, 2023

If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,

A handwritten signature in black ink that reads "Matthew R. Karl". The signature is written in a cursive style with a clear, legible font.

Matt Karl  
Senior Environmental Quality Analyst  
Air Quality Division  
517-282-2126

cc: Meghan Stackhouse, EDL Energy  
Sarah Marshall, EPA Region 5  
Annette Switzer, EGLE  
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