



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



C. HEIDI GREYHER
DIRECTOR

August 3, 2016

Mr. Ralph Dach, General Manager
Oakland Heights Development, Inc.
5011 South Lilley Road
Canton, Michigan 48188

SRN: N6008, Oakland County

Dear Mr. Dach:

VIOLATION NOTICE

On February 17, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Oakland Height Development, Inc. (Oakland Heights), operated by Republic Services, located at 2350 Brown Road, in Auburn Hills, Michigan. The purpose of this inspection was to determine Oakland Height'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; the conditions of Permit to Install (PTI) number 11-15, and the conditions of Renewable Operating Permit (ROP) number MI-ROP-N6008-2015.

On January 14, 2015, Oakland Heights submitted a permit application to remove the two existing enclosed flares and replace them with one 3000 scfm utility flare (open flare) and on March 15, 2015, the AQD issued PTI No. 11-15. During my inspection, the flare flow was approximately 1750 scfm and the temperature was at 1100°F; which is consistent with the data observed during the flare performance test conducted by AQS on September 28, 2015.

In addition to the flare, I noted the vacuum of the wellfield was at 22 inches water column and the flow meter indicated the flow was at 3500 scfm; Mr. Moore noted the flow meter needs to be calibrated as he believed it has reached its maximum. I noted that, if the landfill flow meter is at its maximum and the total flow is above 3500 scfm, Oakland Heights will not have enough flare capacity (max 3000 scfm) if GM's engine plant goes off-line.

Although it was apparent maintenance activities needed to be addressed, Oakland Heights appeared to be in compliance with the conditions of PTI No. 11-15, and the conditions of ROP No. MI-ROP-N6008-2015.

On July 8, 2016, the DEQ, AQD, received a PTI application for a utility flare located at Oakland Heights. Upon reviewing the permit application and speaking to Mr. Robb Moore, the AQD determined that Oakland Heights installed and commenced operation of a 5,100 cfm open flare on July 28, 2015; not a 3,000 cfm open flare as applied and permitted for in PTI No. 11-15. This is a violation of Act 451, Rule 201.

Process Description	Rule/Permit Condition Violated	Comments
Utility Flare (open flare)	Act 451, Rule 201	Based on the information provided, Oakland Heights Development Inc. installed, and has operated, a 5,100 cfm open flare starting on July 28, 2015; not a 3,000 cfm open flare as applied for in PTI No. 11-15.

This process is also subject to the federal Standards of Performance for New Sources (NSPS) for Municipal Solid Waste Landfills. These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart WWW; which are now incorporated into 40 CFR, Part 60, subpart Cf, the Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills.

A program for compliance may include a completed PTI application for the flare process equipment. An application form is available by request, or at the following website:

http://www.deq.state.mi.us/aps/nsr_information.shtml

Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

In addition, please provide the following:

- An updated facility-wide Potential to Emit (PTE) demonstration for all pollutants at the source. Information on calculating PTE can be found at the following website: <http://www.michigan.gov/deq/0,4561,7-135-3310---,00.html>
- Details regarding the landfill flow meter; including information on: when was it installed, what was the malfunction in February related to, when was it last calibrated/how often is it calibrated, how do you ensure the reading is the actual flow and not a maxed out value, what is the current range of flows being pulled from the landfill?

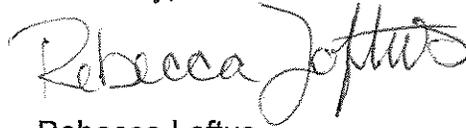
Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by August 24, 2016 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the 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 Oakland Heights Development 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.

Mr. Ralph Dach
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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,

A handwritten signature in cursive script that reads "Rebecca Loftus".

Rebecca Loftus
Senior Environmental Quality Analyst
Air Quality Division
586-753-3735

cc/via e-mail: Mr. Robb Moore, Republic
Ms. Lynn Fiedler, DEQ
Ms. Teresa Seidel, DEQ
Ms. Heidi Hollenbach, DEQ
Ms. Annette Switzer, DEQ
Mr. Thomas Hess, DEQ
Mr. Chris Ethridge, DEQ
Ms. Melissa Byrnes, DEQ