

State Registration Number
N5719

RENEWABLE OPERATING PERMIT
JANUARY 18, 2023 - STAFF REPORT ADDENDUM

ROP Number
MI-ROP-N5719-20XX

Purpose

A Staff Report dated October 24, 2022, was developed to set forth the applicable requirements and factual basis for the draft Renewable Operating Permit (ROP) terms and conditions as required by Rule 214(1) of the administrative rules promulgated under Act 451. The purpose of this Staff Report Addendum is to summarize any significant comments received on the draft ROP during the 30-day public comment period as described in Rule 214(3). In addition, this addendum describes any changes to the draft ROP resulting from these pertinent comments.

General Information

Responsible Official – Section 1:	Dan Batts, General Manager 269-463-5588
Responsible Official – Section 2:	Rocky Tondo, N.A. Head of Project Delivery and Technical Services 330-728-5266
AQD Contact:	Matt Deskins, Environmental Quality Analyst 269-303-8326

Summary of Pertinent Comments

Comments were received from USEPA, Orchard Hill Sanitary Landfill, and EDW which resulted in the following changes being made to the October 24, 2022, draft ROP:

EPA COMMENTS

EPA Comment 1:

Section 1, EUASBESTOS SC III.1(d) (draft ROP page 22/110) allows an alternative emission control method upon prior written approval from the appropriate AQD District Supervisor. However, the underlying requirement at 40 CFR 61.154(d) only allows the use of an alternative emission control method if it has received prior approval by the Administrator. Although implementation and enforcement authority of 40 CFR Part 61, Subpart M has been delegated to Michigan, 40 CFR 61.157(b)(5) states that the authority specified in 40 CFR 61.154(d) will not be delegated to States. I request that you either revise EUASBESTOS SC III.1(d) to specify that the Administrator is the approving authority for the alternative emissions control method or remove EUASBESTOS SC III.1(d) from the ROP if you determine that 40 CFR 61.154(d) is not applicable.

AQD Response:

EUASBESTOS SC III.1(d) has been removed from the ROP.

EPA Comment 2:

Section 1, EUASBESTOS SC VI.1(c) (draft ROP page 23/110) incorporates a portion of 40 CFR 61.154(e)(3). However, it appears that this condition does not completely incorporate 40 CFR 61.154(e)(3) since it is missing the portion of the rule that follows “[...] (identified in the waste shipment record)”. I request that you verify the incorporation of 40 CFR 61.154(e)(3) into the ROP and revise EUASBESTOS SC VI.1(c) as necessary to ensure that all applicable portions of 40 CFR 61.154(e)(3) are incorporated into the ROP.

AQD Response:

The remainder of the condition from 40 CFR 61.154(e)(3) has been added to this condition in the ROP.

EPA Comment 3:

Section 1, FGOPENFLARE-AAAA-1 SC VI.2(b) (page 54/110) requires the source to record the indication of bypass flow pursuant to 40 CFR 63.1961(c)(2)(ii), suggesting that flow can bypass the open flare. However, 40 CFR 63.1961(c)(2)(ii) also requires the source to secure bypass line valves in the closed position with a car-seal or a lock-and-key type configuration. It is not clear whether the source can bypass the flare, making it unclear whether bypass lines must be secured. I request that you evaluate whether the flare can be bypassed and whether a bypass line valve must be secured in accordance with 40 CFR 63.1961(c)(2)(ii). If this is an applicable requirement, then I also request that you also incorporate the monthly visual inspection requirement in FGOPENFLARE-AAAA-1 SC VI as a requirement separate from the already-included recordkeeping requirement.

AQD Response

This condition was revised to include the monthly visual inspection per 40 CFR 63.1961(c)(2)(ii).

NOTE: After this change was made to the condition in the ROP, information was provided by the permittee(s) that neither Orchard Hill Sanitary Landfill nor EDW have any type of bypass lines that would allow landfill gas to bypass any control device (i.e., open flare at the landfill and/or internal combustion engines and/or open flare at the gas-to-energy facility). However, the decision was made to keep the permit condition language as is and just note the situation in this Staff Report Addendum and ROP Technical Review Notes.

EPA Comment 4:

Section 2, FGTREATMENTSYS-AAAA SC IV.2 (page 97/110) incorporates 40 CFR 63.1961(g) which requires the source to secure the bypass line valve in the closed position. Monthly recordkeeping requirements are included in the permit at SC VI.1(b). SC VI.1(b) cites 40 CFR 63.1983(c)(2) instead of 40 CFR 63.1983(g)(2), but both (c)(2) and (g)(2) have largely similar requirements. As part of the requirement at 40 CFR 63.1983(c)(2) and (g)(2), the owner or operator must conduct a visual inspection of the seal or closure mechanism on a monthly basis. However, the draft ROP does not specifically require the source to conduct a monthly visual inspection. Instead, the draft ROP only requires the source to maintain records of the monthly inspections. For permit clarity and to ensure the implementation of the monthly visual inspections, I request that you incorporate into FGTREATMENTSYS-AAAA SC VI a requirement to conduct monthly visual inspections.

AQD Response

The remainder of this condition from 40 CFR 63.1964(g) has been added to the ROP. "A visual inspection of the seal or closure mechanism must be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line."

NOTE: After this change was made to the condition in the ROP, information was provided by the permittee(s) that neither Orchard Hill Sanitary Landfill nor EDW have any type of bypass lines that would allow landfill gas to bypass any control device (i.e., open flare at the landfill and/or internal combustion engines and/or open flare at the gas-to-energy facility). However, the decision was made to keep the permit condition language as is and just note the situation in the Staff Report Addendum and ROP Technical Review Notes.

EPA Comment 5:

As part of my review, I've noted the following minor typographical errors in Appendix 7-1.

- a. The last sentence of the first paragraph of page 63/110 states "[...] and amount of the non-degradable material is documented as provided in 40 CFR 62.16728(a)(3)(iii)". However, I believe that the text should instead refer to 40 CFR 62.16728(a)(3)(i) while noting that the applicable requirement can be found at 40 CFR 62.16728(a)(3)(iii).
- b. The equation for "K" on page 65/110 of the draft ROP should have an equal sign following the word "Constant" and should define "n" as the number of sample components. See 40 CFR 63.11(b)(6)(ii).
- c. Page 65/110 and 110/110 includes a section for the calculation for Vmax steam-assisted and non-assisted flares. Both sections of the permit refer to 40 CFR 63.18(b)(7)(iii), but it appears that both should instead refer to 40 CFR 63.11(b)(7)(iii).

AQD Response

The typographical errors in Appendix 7-1 have been corrected to reflect the comments above.

Orchard Hill Sanitary Landfill Comments

Orchard Hill Sanitary Landfill Comment 1:

Correct the City Location on the 1st Page to Reflect "Watervliet"

AQD Response

The correct City Location was added.

EDW Comments

EDW Comment 1:

Correct the City Location on the 1st Page to Reflect "Watervliet"

AQD Response

The correct City Location was added.

EDW Comment 2:

Under the Emission Unit Summary Table, update the emission unit description language to include reference to the ability to replace the engines as allowed in the Emission Unit Description column for engine emission units EUICEENGINE1, EUICEENGINE2, and EUICEENGINE3. Also, Update the engine make and model identifier in the Emission Unit Description column for engine emission unit EUICEENGINE3 to match the engine specifications.

AQD Response

The emission unit descriptions were updated to reflect the above comment.

EDW Comment 3:

Under the Emission Unit Table description for EUICEENGINE3, update the engine make and model identifier to match the engine specifications.

AQD Response

The emission unit description was updated to reflect the above comment.

EDW Comment 4:

Under the Flexible Group Table description for FGICEENGINES, include the reference for the ability to replace the engines as allowed for under Rule 336.1285(a)(vi).

AQD Response

The emission unit description was updated to reflect the above comment.

EDW Comment 5:

Under the Flexible Group Table description for FGRICEMACT, include the reference for the ability to replace the engines as allowed for under Rule 336.1285(a)(vi).

AQD Response

The emission unit description was updated to reflect the above comment.

Changes to the October 24, 2022 Draft ROP

Any changes proposed by the USEPA, Orchard Hill Landfill, and EDW in the 30-day public comment period are addressed by the AQD responses above and have been incorporated into the draft ROP where applicable.