

K6330

MAWILA

DEPARTMENT OF ENVIRONMENTAL QUALITY  
AIR QUALITY DIVISION  
ACTIVITY REPORT: Scheduled Inspection

K633045964

FACILITY: Michigan Anti-Cruelty Society		SRN / ID: K6330
LOCATION: 13569 Joseph Campau, DETROIT		DISTRICT: Detroit
CITY: DETROIT		COUNTY: WAYNE
CONTACT: Darrel (Steve) Tuttle , Board of Directors		ACTIVITY DATE: 08/16/2018
STAFF: Gerald Krawiec	COMPLIANCE STATUS: Compliance	SOURCE CLASS: Minor
SUBJECT: Scheduled Inspection and Complaint Investigation		
RESOLVED COMPLAINTS:		

**FACILITY BACKGROUND:**

Since 1935, the Michigan Anti-Cruelty Society (MACS) has dedicated its efforts to providing refuge to stray, injured and forgotten animals. They work to promote humane education and actively initiate affirmative legislative action. MACS investigated 895 cruelty complaints in 2016. MACS provides extensive sheltering, veterinary care and pet adoption services to the thousands of animals that pass through the shelter doors. They never turn away an animal in need or charge for shelter services.

MACS is a registered 501(c)(3) non-profit charity and is funded completely by private donations. Among the services rendered by this facility is the euthanasia and cremation of small animals; such as dogs, cats, rabbits, birds, etc.

**COMPLAINT HISTORY:**

There were 3 citizen complaints received May 16, 2017. All 3 complaints were received on the same day and 2 of 3 complainants interviewed by telephone. A photo of a smoking stack was included with the complaint. All stated that the incinerator smokes daily and odor is terrible. None of the complainants live in the neighborhood near MACS and all belong to an organization called "Operation Help – Detroit Dogs and Cats". This organization holds regular protests at this site 2 times a week (Wed & Sat). After receiving these complaints AQD staff made multiple "drive by" and/or "opacity observations" never observing emissions above 5% opacity and never detecting odors.

As of the date of this 2018 inspection, there have been no additional complaints.

**PROCESS DESCRIPTION:**

The Incinerator at this facility is operating under a Wayne County (WC) – "Certificate of Operation" (C of O) number APC. 5-04928 issued by WC Air Pollution Inspector Lee Murchison on August 18, 1989. There are no permit conditions indicated by this C of O. The capacity of this unit is rated at 800 lbs./hr. This writer recalls performing an inspection and issuing a C of O at this facility sometime in the early 1970's. Prior to that inspection it had been determined by WC that this incinerator was installed prior to August 15, 1967 and is considered "grandfathered".

**INSPECTION NARRATIVE:**

This is a Scheduled Inspection for FY 2018 conducted on 8/16/2018. Darrel (Steve) Tuttle, Manager and Board Member has been at this facility for 30 years, he assisted and joined AQD staff in conducting this inspection. The crematory unit (incinerator) was found to be in very good condition. The interior brickwork in the combustion chamber and bridge wall had been repaired earlier this year. Charge door operation and seal was in good condition. At the time of this inspection the unit was not in use. Steve ignited both the primary burners (2) and the after burner (1) in the secondary chamber to demonstrate they are operational. The exterior brickwork and stack had to be inspected from outside the building and found to be in good condition. Although the operating temperature is monitored it is not recorded. The temperature gauge is located indoors on the control panel adjacent to the charge door. Although it appears to be rather old it was functional since it responded well to the heat of the ignited burners. When the crematory unit is operating the temperature is maintained around 1400 degrees F.

The unit is normally operated 4 – 5 days per week by the same person. Normal procedure is to weigh each body before cremation begins. Then the unit is charged with 5 – 8 bodies that will total less than 150 lbs. All animals that weigh more than 45 lbs. are sent to another location for cremation. Depending on the size of the load the cremation may take anywhere from 2.5 – 4 hours. Depending on the need the crematory unit maybe charged twice a day. The unit is always warmed up before use, especially during cold weather. This is necessary to prevent an opacity problem. During the first 6 months of 2018, MACS euthanized 354 dogs and 498 cats.

There were no visible emissions or odors from the facility at the time of this inspection.

#### POST INSPECTION:

AQD staff conducted an exit interview with Steve Tuttle. He will put together a package describing the scope of work and other repairs that were made to the cremation incinerator earlier this year. The burners were repaired/replaced by another company a few months after the brickwork repair. Further follow-up will be conducted during the next inspection to determine whether the cost of the described repairs exceeds 50% of the cost of a new unit.

Some discussion focused on the organized group that complained to the EPA in May 2017. Although employees of MACS have learned to ignore the picketing, this group has posted photos and names of all employees on their Facebook site. “Operation Help – Detroit Dogs and Cats” holds regular protests at this location 2 afternoons a week usually on Wednesday and Saturday. They have been ordered to not block the entrance to MACS, so they protest about 100 feet away on Joseph Campau.

#### FEDERAL REGULATIONS:

There are several Federal air regulations that have been promulgated that address various types of incinerators. The following is a list of the regulations that are the most applicable to the incinerator at the MACS facility, and a brief discussion of the potential applicability of each of these regulations.

Subpart Ce (Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators). Paragraph 60.32e(b) states that a combustor is not subject to this subpart during periods when only pathological waste, low-level radioactive waste and/or chemotherapeutic waste is burned. The definition of pathological waste put forth in 60.51c provides that “pathological waste means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable)”. The incinerator at this facility is used entirely for animals and animal parts/tissue.

Subpart E (Standards of Performance for Incinerators). This regulation does not apply as the incinerator at this facility is far smaller than the 50 tons per day or greater charging rate criteria in 60.50(a).

Subpart Ec (Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators). This regulation does not apply as the incinerator at the MACS facility was installed prior to the applicability dates in the regulation.

Subpart DDDD (Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units). This regulation applies to commercial and industrial solid waste incineration units, or CISWIs. A CISWI is defined in 60.2875 as “...any distinct operating unit of any commercial or industrial facility that combusts, or has combusted in the preceding months, and solid waste as that term is defined in 40 CFR Part 241. Part 241 defers to the definition of solid waste in 40 CFR 258.2, which vaguely references “...any garbage, or refuse...” in defining solid waste. It is unclear as to whether pathological waste, such as humans or animals, are intended to fall within the Part 258 definition of solid waste. Within Subpart DDDD, 40 CFR 60.2555(a) exempts incineration units burning 90 percent or more by weight (on a calendar quarter basis) of pathological waste, low-level radioactive waste and/or chemotherapeutic waste from the requirements of Subpart DDDD.

Subpart FFFF (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction on or Before December 9, 2004). The incinerator at the MACS facility does not meet the definition of OSWI (60.3078) or air curtain incinerator (60.2994(b)) as defined in this subpart.

40 CFR Part 62, Subpart HHH (Federal Plan requirements for Hospital/Medical/Infectious Waste Incinerators Constructed on Or Before December 1, 2008). Based on the applicability criteria put forth in 62.14400, a HMIWI that combusts only pathological waste, low-level radioactive waste and/or chemotherapeutic waste is not subject to the requirements of this subpart.

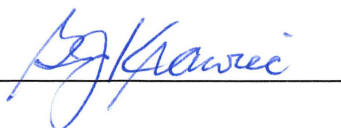
The exemption criteria put forth in 40 CFR Part 60 Subparts Ce, DDDD and 40 CFR Part 62 Subpart HHH require that the facility notify the EPA (or delegated enforcement authority) of an exemption claim and keep records on a calendar quarter basis of the periods of time when only pathological waste, low-level radioactive waste and/or chemotherapeutic waste is combusted. The facility tracks the usage of the incinerator, and that it is only used to process pathological waste.

#### COMPLIANCE DETERMINATION:

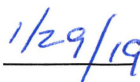
Based upon the results of the August 16, 2018 site visit and subsequent records and regulation review, MACS appears to be operating in compliance with all applicable air quality rules and regulations.

However, further follow-up will be conducted during the next inspection to determine whether the cost of the described repairs/upgrades performed to the incinerator early in 2018 exceeds 50% of the cost of a new unit.

NAME



DATE



SUPERVISOR

