



VIA CERTIFIED MAIL

August 22, 2017

Mr. Todd Zynda, Environmental Engineer
Michigan Department of Environmental Quality
Air Quality Division
3058 W. Grand Boulevard
Suite 2300
Detroit, MI 48202

RE: Detroit Renewable Power – Response to Violation Notice dated August 3, 2017

Dear Mr. Zynda:

This correspondence is Detroit Renewable Power's response to the Violation Notice (VN) dated August 3, 2017 regarding odors allegedly emanating from DRP's operation on July 27 and July 29, 2017. Inspections conducted by MDEQ-AQD reportedly found a moderate to strong (level 3 to 4) garbage odor impacting nearby neighborhoods. As discussed below, DRP was surprised by this allegation because DRP's own neighborhood odor surveys on those dates, as well as DRP personnel's personal observation of conditions on site indicate that no objectionable odors were present on either date.

The following is in response to the violation notice: DRP takes odor management very seriously and remains diligent in operating its facility according to the Consent Judgment (CJ) issued on October 20, 2014. As you know, the CJ requires DRP to have an Odor Management Plan (OMP) which requires review and recordkeeping of odor abatement activities on a daily, weekly, and monthly basis. These practices are intended to ensure conformance with the OMP to mitigate odors from the facility.

Since the beginning of the summer, DRP management and personnel have placed special emphasis on minimizing the potential for objectionable odors, including increased emphasis on general housekeeping and diligently implementing all odor management practices. These efforts have been boosted by the fact that DRPs boilers have experienced very smooth and consistent operation, which greatly helps DRP manage its fuel inventory. As a result, DRP employees report a significant reduction in the intensity of odors *within the DRP facility property*. This notable reduction in odors *on site*, of course, signifies a significant reduction in the potential for *off-site* odor impacts. Specifically, on July 27 and 29 DRP personnel observed

that odors *on site* were mild and did not have the potential to cause objectionable odor impacts off site.

In addition, the daily inspections for July 27 and July 29 found the municipal solid waste conveyors and the overhead doors operating properly. Daily inspections also found the odor spray system to be working correctly at the tipping floor roof, the refuse derived fuel (RDF) area, the alleyway door, the north alley door, the south alley door, the municipal solid waste (MSW) pile, the east tipping floor, the west tipping floor, and the stack systems. In addition, the MSW roof fans were working properly and the property roadways were swept with the sweeper truck. In summary, all appropriate odor management practices were followed on the day noted.

Moreover, odor surveys (attached) were conducted by our Plant Manager, our EHS Manager and our Safety Specialists for those dates, as described below.

On July 27, at 11:00 AM, level 1 odors were detected on at the fence-line on the Ferry Street side near the tipping floor. These odors were “[n]ot very strong or offensive.” The AQD odor surveillance occurred from 8:15 PM until 9:15 PM. Having been alerted to the fact that AQD had concerns about odor, DRP Plant Manager, Robert Suida, began an odor survey at approximately 9:15 PM. This survey included the area west of I-75 and south of I-94 where most of the AQD observations occurred. This survey occurred immediately after the AQD survey and wind conditions had not changed. Despite a thorough survey by car and on foot, Mr. Suida did not observe any odors in the community. Mr. Suida stated, “[t]here were no noticeable trash odors during the odor survey.” Even as he returned to DRP property, Mr. Suida observed only a “slight trash odor (less than 1)” at the employee entrance. An odor level of 1 is defined as “just barely detectable.”

Mr. Suida observed a number of residential trash containers at curbside in the neighborhood. This was a Thursday evening and apparently there is a scheduled trash pick-up on Friday in this area. Still, even with the presence of these trash containers, Mr. Suida did not at any time observe trash odors in the neighborhood as alleged in the AQD Activity Report. This, combined with the fact that only very mild odors were detectable *on-site* leads DRP to conclude that the allegation that DRP was the cause of objectionable odors during the evening of July 27 are not credible. Accordingly, DRP categorically denies that it was the source of objectionable odors on July 27, 2017.

On July 29, at 10:30 AM, shortly before the AQD odor survey began at 12:30 PM, level 1 (i.e., “just barely detectable”) trash odors were observed near the DRP facility boundaries at Ferry and Rivard, Ferry and I-75 Service drive and Russell Street at the employee entrance gates. The AQD odor survey occurred from 12:30 PM until 1:30 PM. Having been alerted to the fact that AQD had concerns about odor, Mr. Suida began an odor survey at approximately 1:25 PM, concluding by 2:25 PM. This survey included the area west of I-75 and south of I-94 along Ferry and Kirby Streets where the AQD survey was concentrated. Mr. Suida’s survey began before the AQD survey concluded and wind conditions had not changed. Mr. Suida’s observations sharply contradict the information reported in the AQD Activity Report. As one example, one of the first locations Mr. Suida stopped to make an observation shortly after 1:25 PM was the corner of St. Antoine and Ferry. Mr. Suida stood outside his car for two minutes and no odors were observed. At approximately the same time (shortly before 1:30 PM), AQD allegedly observed level 4 odors (i.e., ‘odors strong enough to cause a person to attempt to avoid it completely’) on Ferry between St. Antoine and I-75 Service Drive, less than a block away from Mr. Suida’s location. Frankly, these observations, occurring at virtually the same time less

than a block apart and almost one kilometer away from DRP are irreconcilable with each other. Similarly, Mr. Suida thoroughly surveyed the area in question and found no odors of any kind throughout his survey except for level 1 (barely detectable) odors as he approached the DRP facility property at Russell and Ferry streets. Mr. Suida's survey drastically contradicts the AQD Activity Report, which claims to have observed level 3 and level 4 odors at several locations. Again, the absence of odors observed by Mr. Suida during his survey combined with the fact that only very mild odors were detectable *on-site* leads DRP to conclude that the allegation that DRP was the cause of objectionable odors on July 29 are not credible. Accordingly, DRP categorically denies that it was the source of objectionable odors on July 29, 2017.¹

On both dates, July 27 and 29, DRP conducted odor surveys in the same area, under the same wind conditions and contemporaneously with or immediately after the AQD surveys.² On both dates, DRP's personnel observed *no odors whatsoever* in the community and only slight (or "barely detectable") odors on-site or near the DRP boundary. Accordingly, DRP finds the allegations in the VN to be irreconcilable to the facts known to DRP from its own thorough investigation.

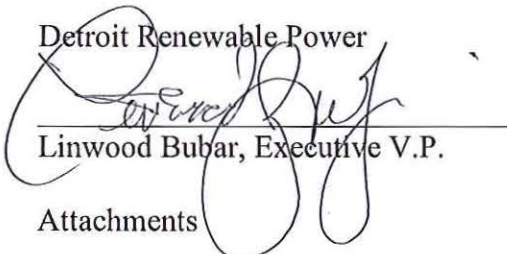
Overall, DRP reviewed records for the date of the alleged violation and did not find any issue of nonconformance. During the DRP surveys, only Level 1 waste-related odors were detected and those only on-site or near the DRP property boundary. Accordingly, DRP does not agree that odors from DRP's operation of sufficient intensity, frequency and duration to constitute a violation of Rule 901 occurred on these occasions.

DRP appreciates the MDEQ's assistance in its ongoing efforts to minimize odor impact. In order to enable DRP to respond most effectively to odor concerns, we ask that MDEQ notify Damian Doerfer, Director of EHS at (313) 269-2806 and ddoerfer@detroitrenewable.com as soon as possible with all essential details when any odor complaint potentially relating to DRP is received. This will allow DRP to immediately investigate and potentially respond to the complaint and report the results back to MDEQ.

If you have questions concerning this response, please feel free to contact Damian Doerfer at (313) 269-2806.

Sincerely,

Detroit Renewable Power



Linwood Bubar, Executive V.P.

Attachments

¹ The AQD's July 29 odor survey is also flawed because it did not include any observations made upwind of DRP's facility. The wind direction was reported as ENE at 10-15 mph. An observation was reportedly made on St. Aubin between Ferry and Farnsworth, but that location is southeast of DRP. No observations were reported east or northeast of DRP. Therefore, the July 29 odor survey failed to confirm DRP as the alleged source of the alleged odors.

² Due to the nature of DRP's operations, there is no possibility that odors emanating from DRP could have dissipated during the short time interval that may have occurred between the AQD surveys and DRP's investigations.

Damian Doerfer

From: Robert Suida
Sent: Friday, July 28, 2017 9:27 AM
To: Damian Doerfer
Subject: Odor Survey - Thursday 07/27/2017 9:15pm
Attachments: Ferry 7-27-17.jpg; Kirby 7-27-17.jpg

Temperature; 75°F. Humidity; 57%. Wind; NNE – 9mph. I received a call from Damian Doerfer at 8:52pm stating that the MDEQ had called him and indicated that there were trash odors in the area of I-75 Service Drive and St. Antoine area. I arrived in the area at 9:15pm and traveled south on Russell to Ferry Street. I turned right (west) on Ferry toward St. Antoine. As I passed I-75 Frontage Road west of I-75 there were residential trash cans curbside in front of several houses on Ferry from Frontage Road to Beaubien (picture attached). I continued west on Ferry to John R. and turned left (south) toward Farnsworth. I turned left (east) on Farnsworth toward Brush. I turned left (north) on Brush to Frederick. I stopped at the corner of Frederick and Brush, exited my vehicle and walked northeast through the park to the corner of Kirby and Beaubien. I then walked west toward Brush. At Brush I walked south to my vehicle. I entered my vehicle and traveled north to Kirby and turned right (east) toward St. Antoine. On Kirby between Beaubien and St. Antoine there were residential trash cans curbside (picture attached). I turned left (north) on St. Antoine toward Ferry Street. At Ferry I turned right (east) toward Russell Street. I traveled east to Russell Street and turned left (north). I entered the employee gate, odor survey complete.

NOTES: There were no noticeable trash odors during the odor survey. There was a slight trash odor (less than 1) at the employee entrance gate to the facility.

Thank you,

Rob Suida

Plant Manager

C: 313-617-5448

O: 313-972-4356

rsuida@detroitrenewable.com

"See It, Own It, Solve It and Do it"



5700 Russell Street

Detroit, MI 48211

Damian Doerfer

From: Robert Suida
Sent: Saturday, July 29, 2017 2:25 PM
To: Damian Doerfer
Subject: Odor Survey

Temp - 79°F, Wind – East at 9mph. Humidity – 40%. 1:25pm – exited Russell Street employee gate and turned left (south) toward Ferry. Detected level 1 odor at the corner of Russell and Ferry. Turned right (east) toward Woodward. I stopped at the corner of St. Antoine and Ferry and exited my vehicle and stood on the sidewalk for 2 minutes. No odors detected. Got back in my vehicle and continued to drive toward Woodward. I stopped at the corner of Ferry and John R. and exited my vehicle and stood on the corner for 2 minutes. No odors detected. Got back in my vehicle and traveled toward Woodward. Just before Woodward I pulled in to a driveway and exited my vehicle and stood on the sidewalk for 2 minutes. No odor detected. I entered my vehicle and backed out of the driveway to head east on Ferry. I stopped at the corner of Ferry and John R. and exited my vehicle and stood on the sidewalk. No odors detected. I got back in my vehicle and continued east toward I-75 and stopped at the corner of Ferry and Beaubien and exited my vehicle and stood on the sidewalk for 3 minutes. No odors detected. I got back in my vehicle and traveled toward I-75. I turned right (south) on I-75 frontage road and stopped at Kirby and exited my vehicle. I stood on the sidewalk for 3 minutes. No odors detected. I got back in my vehicle and turned right (west) on Kirby. Traveled west on Kirby to Beaubien and turned left (south) toward Frederick. Turned right (west) on Frederick toward Brush. Traveled on Frederick to Brush and turned right (north) on Brush toward Kirby. Continued on Brush and turned right (east) on Kirby toward St. Antoine. Traveled east on Kirby and turned left (north) on St. Antoine. Took St. Antoine north to Ferry and turned right (east) toward Russell Street. No odors detected. Continued on Ferry and turned left on Russell toward the DRP employee gate. A level 1 odor was again detected at the corner of Russell and Ferry. Odor round complete.

Rob Suida

Plant Manager

C: 313-617-5448

O: 313-972-4356

rsuida@detroitrenewable.com

“See It, Own It, Solve It and Do It”



5700 Russell Street
Detroit, MI 48211