



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

May 11, 2022

Molly Sherwood, Environmental Compliance Manager  
Kent County Department of Public Works  
1045 Wealthy Street SW  
Grand Rapids, Michigan 49504

SRN: N1324, Kent County

Dear Molly Sherwood:

**VIOLATION NOTICE**

On March 18, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), received emission calculations for the South Kent Landfill located at 10300 South Kent Drive SW, in Byron Center, Michigan through the Michigan Air Emission Reporting System (MAERS). This emissions data was used to determine South Kent Landfill'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 administrative rules; and Renewable Operating Permit (ROP) No. MI-ROP-N1324-2018b.

Based on the review of South Kent Landfill's data, staff verified the following:

Process Description	Rule/Permit Condition Violated	Comments
EUOPENFLARE - Open flare for control of the landfill gas.	Rule 201 (R 336.1201 – Permits to Install)	Actual emissions of carbon monoxide (CO) from the flare exceed 100 tons per year. The equipment is no longer exempt from air use permitting.

The flare was originally installed as exempt from air use permitting under Rule 285(2)(aa). Actual CO emissions from the flare were reported at 108.2 tons in 2021 which is above the 100 ton per year significance level defined in Rule 119(e). Rule 278 states that exemptions do not apply to any activity that results in an increase in actual emissions greater than the significance levels. Therefore, EUOPENFLARE is no longer exempt from air use permitting.

A program for compliance may include a completed Permit to Install application for EUOPENFLARE. An application form is available by request, or at the following website: [www.michigan.gov/air](http://www.michigan.gov/air).

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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.


Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by June 1, 2022 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the written response to the EGLE, AQD, Grand Rapids District, at 350 Ottawa Avenue NW, Unit 10, Grand Rapids, Michigan 49503 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at the EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If you believe 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. 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,



David L. Morgan  
Environmental Quality Specialist  
Air Quality Division  
616-824-1139

cc: Dan Rose, Kent County Department of Public Works  
Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Jenine Camilleri, EGLE  
Christopher Ethridge, EGLE  
Heidi Hollenbach, EGLE