



November 6, 2023

Gary Schwerin, Lansing and Jackson District Supervisor
Michigan Department of Environment, Great Lakes, and Energy
Materials Management Division
Jackson District Office
301 East Louis Glick Highway
Jackson, MI 49201-1556

Sent via email

Re:Response to MMD November 3, 2023, Violation Notice (SRN: N2688)

Dear Mr. Schwerin:

Arbor Hills Landfill, Inc. (Arbor Hills) provides this letter in accordance with Section 5.17 of the Consent Judgment and in response to the Violation Notice dated November 3, 2023, which was issued by the Michigan Department of Environment, Great Lakes, and Energy, (EGLE) Material Management Division (MMD). This response is submitted within 72 hours after Arbor Hills received the notice of violation (VN).

The VN alleges:

During the odor inspection on November 1, 2023, MMD staff identified nuisance landfill gas odors along Napier Road near the landfill entrance.

MMD staff also conducted an odor inspection on the morning of November 2, 2023, between 6:40am and 7:40am to evaluate the effectiveness of the odor mitigating fans. During this odor inspection, staff documented nuisance garbage/landfill gas odors on 6-Mile Road between Napier Road and the entrance to the compost operation, downwind from the active filling area.

Commencement of Investigation and Root Cause Analysis

Upon first receiving an odor complaint at 6:00p.m. during the evening hours of November 1, 2023, Arbor Hills staff dispatched at approximately 7:30p.m. to Northville Ridge and Steeplechase subdivisions. Arbor Hills staff drove to various complaint locations but were unable to detect any odors during their one-hour surveillance. Additionally, and separately, the GFL Regional Landfill Gas Program Manager, the GFL Director of Landfill Gas, and a third-party consultant visited the Steeplechase and Northville Ridge subdivisions on November 1, 2023 at approximately 8:30p.m. and they too were unable to detect any odors within either of the subdivisions.

Report on Results of Investigation, Evidence Obtained, and Remedial Measures Taken

Arbor Hills did not receive any perimeter alarms or alerts that would indicate that gas odors were evident during the evening hours of November 1, 2023, nor were any alarms or alerts set off during the morning hours of November 2, 2023. Arbor Hills staff identified faint garbage odors on the morning of November 2, 2023 on the north side of the landfill along 6-Mile Road, which is typical at the beginning of the operating day when daily landfill cover from the prior day is removed in order to prepare for new incoming waste.

- Arbor Hills staff reviewed the weather data obtained from the onsite weather station for November 1 and November 2. In general, during the evening of November 1, 2023, the wind direction was out of the west at approximately 5-10 mph and during the morning of November 2, 2023, the wind was out of the south-southwest at approximately 5-10 mph.
- We would like to point out however that an odor complaint is not always indicative of the existence of odors. For example, a complaint was received on November 1, 2023 at 11:08a.m. from Mr. Richard Wanger that alleged odors at 8911 Napier Road, which would be located approximately 1 mile north of the site. At the time of the complaint, wind direction was from north to south, rendering it nearly impossible that odors originated from the site. However, when site staff went to investigate this complaint, it was realized that 8911 Napier Road is not an active address.

Plan to Remediate the Identified Site Condition(s) that Caused the Alleged Violation

Our investigation indicates that odors detected were fresh garbage from the active disposal area in Cell 6A, as an apparent result of typical landfill operations. Further, Arbor Hills continues to evaluate the best use and location of fans and misting systems to minimize odor emissions as a part of routine operations, as needed.

Follow-up to the October 28, 2023 VN Response

On October 28, 2023, MMD staff received a Response to the October 25, 2023, Violation Notice (Response) from the Landfill. The Response indicated the cause of the odors was removal of daily cover in the morning in preparation for placement of additional waste and stated, "Arbor Hills will use odor mitigating fans prior to and during the removal of daily cover materials." The presence of strong garbage/landfill gas odors downwind from the active filling area on the morning of November 2, 2023, indicate the use of odor mitigating fans prior to and during daily cover removal is inadequate to prevent odors and additional remedial actions are necessary.

In addition, and pursuant to paragraph 5.17(F) of the Consent Judgement, EGLE has reviewed the Response, and is now providing the Landfill with the comments on the adequacy of the remedial actions. EGLE is also notifying the Landfill that additional remedial actions are necessary to correct the Violation Notice dated October 25, 2023, and to address ongoing nuisance odors as documented in this Violation Notice. These comments trigger a requirement for the Landfill to provide a written response addressing the comments within 10 days of receipt.

Arbor Hills would like to schedule a meeting with EGLE to discuss this VN and its response to the October 25, 2023, VN. We appreciate your assistance with this matter and would like to quickly schedule a meeting. Arbor Hills will continue to work diligently to address odor concerns. To arrange a time and location to discuss, please contact me at (567) 230-7373 or david.seegert@gflenv.com.

Sincerely

Arbor Hills Landfill, Inc.



David Seegert
General Manager

cc: Jenine Camilleri, Enforcement Unit Manager, Air Quality Division
Scott Miller, EGLE Air Quality Division
Diane Kavanaugh-Vetort, EGLE Air Quality Division
Anthony Pelletier, GFL Environmental
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