



December 19, 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: Update to MMD November 3, 2023, Violation Notice (SRN: N2688)

Dear Mr. Schwerin:

Arbor Hills Landfill, Inc. (Arbor Hills) provides this updated 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). As you are aware, the original response was submitted to EGLE on November 6, 2023, at 4:43 PM, within 72 hours after Arbor Hills received the notice of violation (VN).

Following this submittal on November 17, 2023, I called you and left a voice message to follow up on our written request to schedule an in-person meeting. On December 14, 2023, EGLE's MMD division (you and Richelle Ozoga) visited Arbor Hills to conduct the standard quarterly compliance review. During the review, Arbor Hills inquired about the status of the November 6, 2023, VN response and the possibility of setting up a meeting. You indicated that our November 6, 2023, response was considered inadequate as the second part of the VN was not fully addressed. Should additional information be required to fully address the VN, we respectfully request that you provide specifics at this meeting or prior to it so that we can fully address any of EGLE's remaining concerns. Specifically, the Section of the VN that alleges:

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 utilizes the perimeter odor monitoring alarms to alert staff of potential odors before they become a nuisance. As noted in our November 6, 2023, VN response, odor mitigating fans would be utilized on an "as-needed basis." However, on the morning of November 2, 2023, there were no alarms and Arbor Hills did not initiate the odor mitigating fans as there was no evidence of odors at the perimeter of the landfill.

In addition to the work detailed in the October 13, 2023, response, October 20, 2023, 7-day update response, October 25, 2023, response, and the November 6, 2023, response, Arbor Hills initiated and has completed additional work in and around the Cell 6 area to aid in mitigating odors. Specifically, Arbor Hills installed 6-inch vacuum lines to caisson wells AHWW0544 and AHWW0545 located at the west end of Cell 6A. Arbor Hills increased the scope of our well-field technicians by hiring two full-time, third-party tuning technicians and a new supervisor for the four internal technicians employed by Arbor Hills.

We also recently contracted Civil & Environmental Consultants, Inc. to visit the site and conduct a thorough review of the gas system to aid in locating potential leaks that are not evident at the surface. As always, Arbor Hills will continue to be vigilant in mitigating odors and continue to exceed the requirements of EGLE, USEPA, and the Consent Judgement in relation to odor mitigation.

Lastly, as a follow-up to our discussion during the December 14th, 2023, compliance review, we agreed to have an in-person meeting at the landfill on January 4, 2023, at 10:00 am EST. We appreciate your assistance and willingness to schedule a meeting so that we can resolve this matter.

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
Fernando Camargo, GFL Environmental
Anthony Testa, GFL Environmental
Tami Craig, GFL Environmental
John Collins, GFL Environmental
Mindy Gilbert, GFL Environmental
Melissa Bachhuber, GFL Environmental
Joseph Santangelo, GFL Environmental