



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

March 3, 2020

Mr. Anthony Falbo, Senior Vice President -Operations
Fortistar Methane Group
Arbor Hills Energy, LLC
10611 West Five Mile Road
Northville, Michigan 48167

SRN: N2688, Washtenaw County

Dear Mr. Falbo:

VIOLATION NOTICE

On February 18, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), received the Performance Test Results Report (Test Report) for EU-TURBINE4-S3, conducted by Arbor Hills Energy, LLC (AHE) located at 10611 West Five Mile Road , Northville, Michigan. The purpose of this testing was to determine AHE 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 Air Pollution Control Rules; and the conditions of Renewable Operating Permit (ROP) number MI-ROP-N2688-2011a;

Based on the results of the Test Report, the AQD has identified the following violations:

Process Description	Rule/Permit Condition Violated	Comments
EUTURBINE4-S3	ROP, EUTURBINE4-S3, Condition I. 6. SO2 limit; 40 CFR 60.4330(a)(1) or (a)(2) (Subpart KKKK)	December 20, 2019 stack test results indicated that SO2 pounds per megawatt-hour exceeded the permit limits for SO ₂ (0.9 pounds per megawatt-hour, (lb/MWhr), or 0.15 pounds per million British Thermal Unit, (lb/MMBtu)
EUTURBINE4-S3	Part 18. Prevention of Significant Deterioration (PSD) of Air Quality. 40 CFR 52.21 and R 336.2802 (Rule 1802), R 336.1201 (Rule 201)	Unpermitted PSD major modification that has resulted in a significant emission increase and a significant net emissions increase (Rule 1802(4)(a)) of SO ₂ greater than 40

		tons per year. This also triggers a requirement for a Permit to Install (PTI) permit.
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The results of the December 20, 2019 stack test indicate a violation of the Company's ROP and the federal Standards of Performance for New Sources (NSPS) for Stationary Combustion Turbines. These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart KKKK.

The following Table summarizes the SO₂ test results and was taken from the submitted Test Report.

	AVERAGE
SO ₂ Concentration (ppmvd)	26.4
SO ₂ Emission Rate (lb/hr)	10.4
SO ₂ Emission Rate (lb/MWhr)	2.16
SO ₂ Permit Limit (lb/MWhr)	0.9

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by March 24, 2020 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a recurrence.

Please submit the written response to EGLE, AQD, Jackson District, at 301 East Louis Glick Highway, Jackson, Michigan 49201-1556 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If AHE believes 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.

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Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my on-site observation of the above testing. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Diane Kavanaugh Vetort
Senior Environmental Quality Analyst
Air Quality Division
517-416-3537

cc: Ms. Suparna Chakladar, Fortistar
Mr. Don Kindig, General Manager, ADS
Ms. Katherine Abend, U.S.D.O.J.
Mr. Ken Ruffatto, U.S.E.P.A.
Mr. Neil Gordon, AG
Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Ambrosia Brown, EGLE
Mr. Scott Miller, EGLE