



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

December 8, 2022

EMAIL - CERTIFIED MAIL- RETURN RECEIPT

David Seegert
Arbor Hills Landfill Inc.
10599 West Five Mile Road
Northville, MI 48168

SRN: N2688, Washtenaw County

Dear David Seegert:

VIOLATION NOTICE

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), received a letter dated November 18, 2022, provided by Arbor Hills Landfill Inc (Company) located at 10690 West Six Mile Road, Northville, Michigan. This letter was in response to a Violation Notice (VN) issued by AQD on October 13, 2022,. Furthermore, AQD staff reviewed publicly available perimeter monitoring data for the period from September 22, 2022, to December 6, 2022. The purpose of these reviews was to determine both whether the company adequately responded to the October 13, 2022, Violation Notice and to assess the Company's compliance with the requirements of paragraph 5.5 of the Consent Judgment No. 2020-0593-CE (CJ), regarding perimeter emissions monitoring and response.

The Company operates six air monitors at the perimeter of the landfill that sample for hydrogen sulfide and methane. The "Perimeter Methane Action Level" is defined in paragraph 4.2(U) of the CJ as a methane concentration of 40 parts per million measured as a rolling average over a 15-minute period. Paragraph 5.5 of the CJ outlines the steps that must be taken if any of the six air monitors collect data indicating an exceedance of the Perimeter Methane Action Level, including performing a root cause analysis, and taking steps as needed to correct the exceedance(s) and prevent future exceedance(s) from recurring.

After reviewing the first round of exceedance data, AQD met with the Company on September 20, 2022, to discuss these exceedances, and the Company's attempts to identify the source of the methane. This meeting was onsite allowing AQD staff an opportunity to inspect an area near Monitor No. 4 and 5. AQD staff observed elevated methane emissions near these monitors. On November 3, 2022, AQD met with the Company to evaluate the ongoing Perimeter Methane Action Level exceedances. AQD staff again observed elevated methane levels coming from the ground very close to four of the perimeter monitors. Subsequent efforts by the Company after November 3, 2022, to address these exceedances also appear to have been unsuccessful based on continued Perimeter Methane Action Level exceedances.

AQD staff have reviewed perimeter monitoring data through December 6, 2022, which showed that Perimeter Methane Action Level exceedances have been continuing.

Based on a review of the Perimeter Methane Action Level exceedance logs, perimeter monitoring data, and observations made on-site, AQD staff identified the following:

Process Description	Rule/Permit Condition Violated	Comments
Type II sanitary landfill.	Consent Judgement No. 2020-0593-CE Paragraph 5.5 E.	The Perimeter Methane Action Level has been exceeded on more than 20 separate days from September 22, 2022, through December 6, 2022. The Company continues to fail to properly identify and correct the cause(s) of the exceedances within 48 hours and prevent reoccurrences.

In addition, the Company's VN response letter dated November 18, 2022, has been determined to be inadequate because it does not sufficiently address the cited violation, identify the specific actions the landfill has implemented to date in response to these exceedances, or provide a corrective action plan to address the ongoing and repeated exceedances. Specifically, the Company failed to identify where the methane that is causing the exceedances is coming from, what steps the Company has taken to mitigate/correct the source(s) of the methane that is impacting the monitors and what steps the Company is taking to prevent similar Perimeter Methane Action Level exceedances from occurring in the future. It should also be noted that the Company's handheld methane detection device discussed in the VN response that the Company is using to conduct investigations is considered by the AQD to be inadequate based on a demonstration of its performance that occurred on November 3, 2022. Among other things, the device operates poorly at detecting methane on dense vegetative ground cover which comprise a significant portion of the area that the Company must investigate.

Please be advised the Company may be subject to stipulated penalties for ongoing violations of the CJ. Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by December 21, 2022. 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.

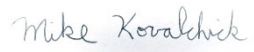
Please submit written response to the DEQ, AQD Jackson District, at 301 East Louis B Glick Highway Jackson, Michigan 49201 and submit copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at the DEQ, AQD P.O. Box 30260, Lansing, Michigan 48909-7760.

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If the Company 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.

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,



Mike Kovalchick
Senior Environmental Engineer
Air Quality Division
517-416-5025

cc: Anthony Pelletier, GFL
Anthony Testa, GFL
Sarah Marshall, USEPA
Elizabeth Morrisseau, Department of Attorney General
Mary Ann Dolehanty, EGLE
Chris Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Jeff Rathbun, EGLE
Scott Miller, EGLE
Diane Kavanaugh Vetort, EGLE