



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GRETHER
DIRECTOR

December 6, 2016

Mr. Scott O'Laughlin
City of Midland Utilities
4311 East Ashman Street
Midland, Michigan 48642

SRN: N6004, Midland County

Dear Mr. O'Laughlin:

VIOLATION NOTICE

On November 29, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of City of Midland Utilities Division located at 4311 East Ashman Street, Midland, Michigan. The purpose of this inspection was to determine City of Midland Utilities 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 Mii-ROP-N6004-2014.

During the inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EU-ACTIVECOLL MLVDW-05, MLVDW-06 MLVDW-07, MLVDW-10, MLVDW-11	60.753(b) 60.755(a)(3) MI-ROP-N6004-2014, EU-ACTIVECOLL, VI.1	1/04/16-3/14/16 Positive pressure for 70 days. Not returned to compliance within 15 days and the collection system was not expanded within 120 days. No alternative timeline was requested.
EU-ACTIVECOLL MLVDW-11	60.753(b) 60.755(a)(3) MI-ROP-N6004-2014, EU-ACTIVECOLL, VI.1	1/12/16-3/14/16 Positive pressure for 62 days. Not returned to compliance within 15 days and the collection system was not expanded within 120 days. No alternative timeline was requested.
EU-ACTIVECOLL MLVW-11	60.753(b) 60.755(a)(3) MI-ROP-N6004-2014,	1/4/16-2/25/16 Positive pressure for 52 days. Not returned to

	EU-ACTIVECOLL, VI.1	compliance within 15 days and the collection system was not expanded within 120 days. No alternative timeline was requested.
EU-ACTIVECOLL MLVW-14	60.753(b) 60.755(a)(3) and (5) MI-ROP-N6004-2014, EU-ACTIVECOLL, VI.1 and VI.1.a MI-ROP-N6004-2014, EU-ACTIVECOLL, VI.3 and VI.3.a	1/4/16-3/10/16 Positive pressure for 66 days. Not returned to compliance within 15 days and the collection system was not expanded within 120 days. No alternative timeline was requested. 1/4/2016-2/22/2016 Oxygen exceedance for 49 days. Not returned to compliance within 15 days and the collection system was not expanded within 120 days. No alternative timeline was requested.
EU-ACTIVECOLL	60.756(3) MI-ROP-N6004-2014, EU-ACTIVECOLL, VI.3	Several instances when landfill gas (LFG) temperatures were in uncommon range for landfill gas temperatures, E.g. 1-4-2016, MLGW-19 temp=18°F. Monitoring ambient air temp, not LFG
EU-ACTIVECOLL MLGW-20A and MLGW-13	60.753(b)&(c) 60.755(a)(3)&(5) MI-ROP-N6004-2014, EU-ACTIVECOLL, VI.3 and VI.3.a MI-ROP-N6004-2014, EU-ACTIVECOLL, VI.1 and VI.1.a	Operate each interior wellhead in the GCCS with negative pressure and O ₂ <5%. Did not return to compliance within 15 days and the collection system was not expanded within 120 days. No alternative timeline was requested.
EU-ACTIVECOLL MLGW-19A	60.759(b)(1) ROP-MI-N6004-2014, E-ACTIVECOLL, IV.6.a	Wells 19, 10, and 12 collapsed below grade. Subsurface fire in the area of MLGW-19/19A. LFG

		extraction shall be constructed to withstand installation, static, and settlement forces and withstand planned overburden or traffic loads.
EU-ACTIVECOLL MLVW-14 MLGW-19A MLGW-20A and MLGW-13 MLVW-11 MLVDW-05, MLVDW-06 MLVDW-07, MLVDW-10, MLVDW-11	63.6(e) 60.11(d) R910 Maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.	1/4/2016 to 5/9/2016 MLGW-20A positive pressure and oxygen >5% due to wellhead crack. Wells 19, 10, and 12 collapsed below grade. Subsurface fire.

NESHAP/NSPS

This process is also subject to the federal Standards of Performance for New Sources (NSPS) for Municipal Solid Waste Landfills. These standards are found in Title 40 of the Code of Federal Regulations (CFR) Part 60, Subpart WWW.

This process is also subject to the federal Nation Emission Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste Landfills. These standards are found in 40 CFR Part 63, Subpart AAAA.

RULE 910: AIR CLEANING DEVICES

January 4, 2016 through May 9, 2016 well MLGW-20A was operating with elevated oxygen reading due to a crack in the wellhead cap, resulting in excess oxygen pulled into the GCCS.

Gas extraction wells MLVDW-05, MLVDW-06, MLVDW-07, MLVDW-10, MLVDW-11, MLVW 11, MLGW-19A, MLGW-20A, MLGW-13, and MLVW 14 operated with either positive pressure or oxygen exceedances from early January 2016 through mid-May 2016. Exceedances of oxygen, pressure and/or temperature shall have corrective action initiated within 5 days, returned to compliance within 15 days, or expand the GCCS within 120 days. An alternative timeline to come into compliance may be requested.

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This constitutes a violation of Act 451, Rule 910, which requires that an air-cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with the administrative rules and existing law.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by December 28, 2016 (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 reoccurrence.

If City of Midland Utilities Division 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.

Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my inspection of City of Midland Utilities Division. 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,

Gina McCann
Senior Environmental Quality Analyst
Air Quality Division
989-894-6218

cc/via e-mail: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Mr. Chris Hare, DEQ
Mr. Gary Schwerin, DEQ