



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

September 4, 2019

Mr. Dan Meccariello
Generate Fremont Digester
W175 N11117 Stonewood Avenue, Suite 209
Germantown, Wisconsin 53022

SRN: N8210, Newaygo County

Dear Mr. Meccariello:

VIOLATION NOTICE

On August 15, 2019, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Generate Fremont Digester located at 1634 Locust Street, Fremont, Michigan. The purpose of this inspection was to determine Generate Fremont Digester, LLC's 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 Permit to Install (PTI) numbers 378-08 and 378-08A.

During the inspection, staff observed the following:

| Process Description | Rule/Permit Condition Violated | Comments |
|---------------------------|--|---|
| EUDIGESTER | PTI No. 378-08, EUDIGESTER, Special Condition (SC) III.1 | Failure to maintain and operate EUDIGESTER in accordance with the required Preventative Maintenance Plan. |
| EUWASTE_TRANSFER | PTI No. 378-08, EUWASTE_TRANSFER, SC III.1 | Failure to maintain and operate EUWASTE_TRANSFER in accordance with the required Preventative Maintenance Plan. |
| EUWASTE_TRANSFER | PTI No. 378-08, EUWASTE_TRANSFER, SC IV.1 | Failure to maintain and operate the biofilter associated with EUWASTE_TRANSFER. |
| EUGASFLARE | Rule 201 | Failure to obtain a permit to install. |
| Desulfurization Equipment | Rule 910 | Failure to maintain and operate a control device. |

| Process Description | Rule/Permit Condition Violated | Comments |
|---------------------|--------------------------------------|--|
| FGENGINES | PTI No. 378-08A, FGENGINES, SC III.1 | Failure to maintain and operate FGENGINES in accordance with the required Preventative Maintenance Plan. |
| FGENGINES | PTI No. 378-08A, FGENGINES, SC VI.2 | Failure to maintain and operate FGENGINES in accordance with the required Preventative Maintenance Plan. |

The conditions of PTI numbers 378-08 and 378-08A require EUDIGESTER, EUWASTE_TRANSFER and FGENGINES to maintain and operate the aforementioned emission units and flexible groups in accordance with the respective preventative maintenance plans and malfunction abatement plans. Generate Fremont Digester staff indicated the plans were not being implemented and the emission units and flexible groups were not being maintained or operated in accordance with the plans.

PTI No. 378-08, EUWASTE_TRANSFER requires that the biofilter be installed, maintained and operated in a satisfactory manner. Since the filter was operating with one (1) cell blocked off, this does not constitute proper installation, maintenance, and operation of the biofilter.

On August 15, 2019, the AQD staff observed operation of Digester Operations and the desulfurization equipment appeared offline and no verification of the operational status could be made during the inspection. This constitutes a violation of Rule 910 of the administrative rules promulgated under Act 451, 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.

Additionally, since the verification of the desulfurization equipment could not be determined, the calculated emissions exceed the 1 pph allowed under the air use permitting exemption, Rule 282(2)(g). This is a Violation of Rule 201 of the administrative rules promulgated under Act 451. A program for compliance may include a completed PTI application for the EUGASFLARE equipment. An application form is available by request, or at the following website: www.michigan.gov/air (in the shaded box on the upper right-hand side of the page).

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Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 25, 2019 (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.

The AQD is also requesting updated preventative maintenance plans/malfunction abatement plans for EUDIGESTER, EUWASTE_TRANSFER, and FGENGINES within 30 days of the date of this letter.

The AQD is also requesting addition information regarding the Sulfur Dioxide (SO₂) emissions from the facility including analysis of the hydrogen sulfide concentrations of the biogas to verify the SO₂ emissions within 30 days of this letter. In this response, please include the following:

1. A site-specific total reduced sulfur (TRS) concentration, including hydrogen sulfide, of the biogas by gas sampling or stack test results for SO₂. This may require gas sampling and analysis, from your source, if it has not already been completed. The method of gas sampling should be an EPA approved method and laboratory analysis of the TRS concentration in the landfill gas, at the owner's expense in accordance with Department requirements.
2. SO₂ potential to emit calculations for your facility and each emission unit at the source, using biogas TRS laboratory analysis or SO₂ stack test data from your site.
3. All supporting information, including site-specific TRS laboratory analysis, stack test results, or other information used in calculating actual and potential emissions.
4. For exempt emission units, a demonstration under Rule 278 that any regulated new source review pollutant emissions have not increased above the significance levels in Rule 119.

Please submit the written response to EGLE, AQD, Grand Rapids District, at 350 Ottawa Avenue NW, Unit 10, Grand Rapids, Michigan 49503 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Generate Fremont Digester, LLC 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 inspection of Generate Fremont Digester, LLC. 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,



Kaitlyn DeVries
Environmental Quality Analyst
Air Quality Division
616-558-0552

cc: Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Ms. Jenine Camilleri, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Heidi Hollenbach, EGLE