



STATE OF MICHIGAN  
 DEPARTMENT OF ENVIRONMENTAL QUALITY  
 SOUTHEAST MICHIGAN DISTRICT OFFICE



RICK SNYDER  
 GOVERNOR

DAN WYANT  
 DIRECTOR

December 9, 2015

Ms. Colleen Stankiewicz  
 Warehouse General Manager  
 Costco Livonia II Warehouse No. 391  
 20000 Haggerty Road  
 Livonia, MI 48152-1011

SRN: P0672, Wayne County

Dear Ms. Stankiewicz:

**VIOLATION NOTICE**

On November 16, 2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Costco Livonia II Warehouse No. 391 Gas Station ("Costco Gas Station" or "Costco") located at 20000 Haggerty Road, Livonia, Michigan. The purpose of this inspection was to determine Livonia II Costco Gas Station'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); and the administrative rules.

During the November 16, 2015 (1:30 p.m.) inspection, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
<p>Three gas tanks, the submerged fill pipes liquid lines, vapor lines, the vapor balance system.</p> <p>Brenner dropped gasoline simultaneously to three tanks using two-point (dual-point) vapor balance system.</p> <p>Brenner Transport Tank Truck No. 166, D045202 Michigan</p> <p>Stated name of driver: Robert Temcheff</p>	<p>Rule 336.1627 and US EPA Reference Method 27</p>	<p>Brenner failed to perform the required vapor tightness tests. The driver did not even attempt to produce the required documents.</p>

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<p>Three gas tanks, the submerged fill pipes liquid lines, vapor lines, the vapor balance system.</p> <p>Brenner dropped gasoline simultaneously to three tanks using two-point (dual-point) vapor balance system.</p> <p>Brenner Transport Tank Truck No. 166, D045202 Michigan</p>	<p>Rule 336.1606 (3)/ 336.1703 (2)</p>	<p>Bad work-practice or leaky fittings resulting in improper operation of vapor balance system during product loading or dropping into the gas station's underground tanks as indicated by gasoline liquid standing in spill containments. The liquid gasoline (50% space per containment) would eventually evaporate to ambient air resulting in emissions of Volatile Organic Compounds (VOC). The driver refused to clean up spilled gasoline (in spill containment) and eventually Costco staff cleaned up the containments.</p>
<p>Three gas tanks, the submerged fill pipes liquid lines, vapor lines, the vapor balance system.</p> <p>Brenner dropped gasoline simultaneously to three tanks using two-point (dual-point) vapor balance system.</p> <p>Brenner Transport Tank Truck No. 166, D045202 Michigan</p>	<p>Rule 336.1910</p>	<p>Bad work-practice or leaky fittings resulting in improper operation of vapor balance system during product loading or dropping into the gas station's underground tanks as indicated by gasoline liquid standing in spill containments. The liquid gasoline (50% space per containment) would eventually evaporate to ambient air resulting in emissions of Volatile Organic Compounds (VOC). The driver refused to clean up spilled gasoline (in spill containment) and eventually Costco staff cleaned up the containments.</p>
<p>Three gas tanks, the submerged fill pipes liquid lines, vapor lines, the vapor balance system.</p> <p>Brenner dropped gasoline simultaneously to three tanks using two-point (dual-point) vapor balance system.</p> <p>Brenner Transport Tank Truck No. 166, D045202 Michigan</p>	<p>Rule 336.1910</p>	<p>Bad work-practice resulting in improper operation of vapor balance system during product loading or dropping. At the end of loading when hoses were disconnected, liquid gasoline was not completely poured into the tanks but spilled on to concrete surface.</p>
<p>Owner or Operator means any person who owns, leases, operates, controls, or supervises a facility subject to regulation under the Clean Air Act (CAA), or a stationary source of which a regulated facility is a part. Hence, all companies/entities/persons referenced in this letter are owners or operators, who are responsible for compliance with Act 451 and CAA.</p>		

Process Description	Rule/Permit Condition Violated	Comments
<p>Pursuant to Act 451, Part 121, Sec. 12113(2), gasoline spilled into the spill containment must be pumped out immediately and stored in a closed container to prevent evaporative losses; absorbent towels, pads, tails or pigs may also be used. It must be managed as hazardous material (HM)/liquid industrial waste (LIW) according to Act 451, Part 121 Sec. 12102a(a) if recycled as fuel. The gasoline may eventually be recycled after treatment to bring it up to the gasoline quality standards. It may be noted that when spill containment has liquid in it (either water or gasoline or debris), it will not be able to contain spills that will occur and its purpose will be defeated. In addition, if spill containment fails to function as designed, the gasoline will spill over to concrete surface causing fire and explosion safety hazard; evaporation will cause air pollution. All liquids and debris must be promptly removed from the spill containments and disposed of properly. Act 451, Part 5, Sec. 280.20 requires properly operating spill containment such that release of gasoline product to the environment (air, water, soil) does not occur.</p>		

During this inspection, Brenner or Costco was unable to produce Rule 627 records.

On November 16, 2015, the AQD staff observed operation of a gasoline delivery vessel while the vapor balance system was malfunctioning due to sloppy work-practices (spills into the spill containments, liquid spills on to concrete surface by not completely pouring liquids to the tanks via submerged fill pipe).

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 30, 2015 (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 violation is 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 Costco 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 violation cited above and for the cooperation that was extended to me during my inspection of Costco. 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,



Iranna Konanahalli  
 Senior Environmental Engineer  
 Air Quality Division  
 konanahalli@michigan.gov or 586-753-3741

IK/DC

cc: Mr. Douglas Brenner, Brenner Transport  
Ms. Lynn Fiedler, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Ms. Teresa Seidel, DEQ  
Mr. Thomas Hess, DEQ  
Mr. Chris Ethridge, DEQ  
Ms. Mina McLemore, DEQ  
Mr. Jeff Korniski, DEQ