

**DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
ACTIVITY REPORT: Self Initiated Inspection**

P111753412

FACILITY: Doug's Tree and Lawn Care		SRN / ID: P1117
LOCATION: 3809 Airport Road, WATERFORD		DISTRICT: Warren
CITY: WATERFORD		COUNTY: OAKLAND
CONTACT: Douglas Neynaber , Owner		ACTIVITY DATE: 03/10/2020
STAFF: Adam Bogнар	COMPLIANCE STATUS: Non Compliance	SOURCE CLASS: Minor
SUBJECT: Self Initiated Inspection		
RESOLVED COMPLAINTS:		

On Tuesday, March 10, 2020, Michigan Department of Environment, Great Laes, and Energy-Air Quality Division (EGLE-AQD) employee Adam Bogнар conducted a self-initiated inspection of Doug's Tree and Lawn Care (the "facility") located at 3809 Airport Rd, Waterford Twp, MI 48329. The purpose of this inspection was to determine the facility's compliance status with the Federal Clean Air Act; Article II, Part 55, Air Pollution Control of Natural Resources and Environmental Protection Act, 1994 Public Act 451; and Michigan Department of Environment, Great Lakes, and Energy-Air Quality Division (EGLE-AQD) rules.

I arrived at Doug's Tree and Lawn Care at around 1:30 pm. I met with Mr. Doug Neynaber, Owner, and two other employees. I introduced myself, provided credentials, and stated the purpose of the inspection. Mr. Neynaber gave me a tour of the facility.

Doug's Tree and Lawn Care provides services such as tree care, tree removal, lawn fertilizing, and outdoor pest control. Their headquarters is a relatively small warehouse with several employees.

I explained to Mr. Neynaber that the AQD received a referral from EGLE Waste Management Division that Doug's Tree and Lawn Care is operating a waste oil burning furnace that utilizes waste oil generated at another location. Mr. Neynaber was already aware of this issue.

Mr. Neynaber explained that he operates a waste oil burning furnace (space heater) to heat the equipment warehouse and office area of this facility. To fuel the furnace, he uses waste oil generated on-site and from a neighboring facility. To get the oil from the neighboring facility, Mr. Neynaber would drive a forklift down a dirt road to his neighbor's facility, pick up a 55-gallon drum of used/waste oil, then drive the drum back to his facility.

Mr. Neynaber explained this process to his insurance company during a routine audit. As a result, Mr. Neynaber was reported to the EPA for being an unlicensed hazardous waste hauler.

The EPA forwarded the allegation to the EGLE Waste Management Division (WMD). WMD investigated the allegation and issued a notice to Doug's Tree and Lawn Care for being an unlicensed waste hauler and ordered Mr. Neynaber to stop hauling waste in this manner.

Mr. Neynaber explained that he stopped burning the waste oil from the neighboring facility as soon as he was notified of the violation. He had the remaining waste oil taken by a waste hauler. The facility provided me the manifests for this pickup (see attached). Going forward, Mr. Neynaber plans to keep using the waste oil burning furnace utilizing only oil generated from his facility.

AQD was notified of this situation because waste oil burning furnaces are regulated by AQD Rules. Waste oil burning furnaces are exempt from the requirement to obtain a permit to install (Rule 201 requirements) if they meet the requirements of exemption Rule 282 (2)(b)(iv). To meet the requirements of Rule 282 (2)(b)(iv), the furnace must burn only waste oil fuels that are generated on the geographical site. Additionally, the furnace must have a rated heat input capacity of not more than 500,000 BTU/hr.

The furnace at this facility has a rated heat input capacity of 170,000 BTU/hr. The furnace was not operating in accordance with this exemption rule as it was burning waste oil generated at a separate geographical site. Operating the furnace in this manner is a violation of AQD Rule 201. A violation notice was sent to Doug's Tree and Lawn care on March 16, 2020 seeking compliance with Rule 201.

I explained to Mr. Neynaber during my inspection that AQD may need to send him a violation notice. I explained that to resolve the violation, Mr. Neynaber has a few options.

Option 1: Continue to operate the furnace and submit a permit to install application to the AQD permit section and obtain a permit.

Option 2: Continue to operate the furnace pursuant to exemption Rule 282 (2)(b)(iv) by only burning waste oil generated at the facility.

Option 3: Cease operating the waste oil burning furnace or burn an approved fuel.

Mr. Neynaber stated that he would continue to use the furnace using only waste oil generated on the geographical site.

The only other AQD regulated equipment I observed at the facility were several storage tanks/drums containing fuel or oil. All tanks were closed during this inspection. The storage tanks appear to be exempt from Rule 201 requirements pursuant to Rule 284.

Compliance Determination

Doug's Tree and Lawn Care is not operating in compliance with the Federal Clean Air Act; Article II, Part 55, Air Pollution Control of Natural Resources and Environmental Protection Act, 1994 Public Act 451; and Michigan Department of Environment, Great Lakes, and Energy, Air Quality Division (EGLE-AQD) rules.

NAME Adam Bognar

DATE 9/25/2020

SUPERVISOR Sebastianykallemkal