



Environmental Resources Group

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August 11, 2016

Nathan Hude
Environmental Quality Analyst
Air Quality Division
Lansing District Office
Constitution Hall
525 W. Allegan Street
Lansing, Michigan 48909

Re: Violation Notice (VN)
SRN: U47070110, Livingston County
Regal Recycling

Mr. Hude,

On behalf of our client, Regal Recycling (Regal), Environmental Resources Group (ERG) is providing a response to the above referenced violation notice. According to the VN dated July 1, 2016, "On June 28, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) attempted to conduct an inspection of Regal Recycling located at 645 Lucy Road, Howell. The purpose of this inspection was to determine your facility'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 administrative rules and to follow up on past recent complaints regarding foul odors attributed to recycling operations."

According to the VN, "During this inspection, it was noted that Regal Recycling had (installed and/or commenced operation of) an unpermitted used oil furnace that uses oil that is accepted from other sites or that is not generated onsite at this facility. The AQD staff advised Regal Recycling on June 28, 2016, that this is a violation of Act 451, Rule 201." The VN provided information on obtaining a Permit to Install (PTI) for the oil burning furnace equipment.

The VN also indicated that "As for the initial reasoning for my [Nathan Hude] stop on June 28, 2016, I observed open burning of refuse and other waste material at Regal Recycling. This constitutes a violation of Act 451, Rule 310 which prohibits open burning of refuse, garbage, or any other waste material at any business or commercial operation. In order to comply with Rule 310, Regal Recycling is advised to immediately discontinue any open burning."

The following are Regal's responses to each of MDEQ's findings. For ease of reference, MDEQ's finding is presented in bold type followed by Regal's response.



During this inspection, it was noted that Regal Recycling had (installed and/or commenced operation of) an unpermitted used oil furnace that uses oil that is accepted from other sites or that is not generated onsite at this facility.

Regal utilizes two used oil furnaces with 350,000 Btu/hour ratings for space heating of its warehouse. Regal only burns oil that is generated on-site, from the draining of vehicle crankcases, in the furnace. Regal does not accept used oil from other sources. Therefore, Regal believes that a violation did not occur, that they are in compliance with R336.1282(b)(iv) and that a PTI is not required for this process.

I observed open burning of refuse and other waste material at Regal Recycling. This constitutes a violation of Act 451, Rule 310 which prohibits open burning of refuse, garbage, or any other waste material at any business or commercial operation. In order to comply with Rule 310, Regal Recycling is advised to immediately discontinue any open burning.

Regal believes there was an incidental fire in the southeastern area of the yard on the day of the inspection. They are not sure what type of material was burning, but it is not Regal's practice to openly burn material of any sort. Regal employs a steel roll-off box for the collection of incidental waste and rubbish that may accumulate in the course of the normal scrap recycling operations. Regal hauls the roll-off to Republic Waste's Citizens Landfill in Grand Blanc, Michigan on an as needed basis. They will also ensure that no intentional open burning occurs on the property by reminding their employees of the restriction on open burning and performing routine inspections for the presence of rubbish and other combustible materials. In the event that these materials are identified, they will be placed in the roll-off container for proper disposal.

Regal believes that the above information complies with MDEQ's request to correct the cited violations.

Should you have additional questions or need further information, please contact me at 248-773-7986.

Sincerely,

A handwritten signature in black ink that reads "Lynn Jankowski". The signature is written in a cursive style with a horizontal line at the end.

Lynn Jankowski, P.E.
Senior Engineer