



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
JACKSON DISTRICT OFFICE



C. HEIDI GREYHER  
DIRECTOR

December 14, 2016

CERTIFIED MAIL RETURN RECEIPT

7010 0290 0000 9047 1046

Mr. Robert Walls, General Manager  
Advanced Disposal Services, Arbor Hills Landfill Inc.  
10690 Six Mile Road  
Northville, Michigan 48168

7010 0290 0000 9047 1336

Ms. Christina Pearse-Bossick, Environmental Manager  
BFI Waste Systems of North America LLC  
Republic Services Inc.  
5011 South Lilly Road  
Canton, Michigan 48188

7007 1490 0003 6376 7402

Ms. Suparna Chakladar, Vice President  
FORTISTAR Methane Group  
Arbor Hills Energy LLC  
10611 West 5 Mile Road  
Northville, Michigan 48167

SRN: N2688, Washtenaw County

Dear Mr. Walls, Ms. Pearse-Bossick and Ms. Chakladar:

**VIOLATION NOTICE**

On December 5, and December 10, 2016, the Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD), investigated complaints regarding nuisance odors alleged to be the result of operations at the Arbor Hills Landfill located at 10690 Six Mile Road, Northville, Michigan. The purpose of these investigations was to determine if this facility is in compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, and Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); the administrative rules promulgated pursuant to these parts; and to investigate complaints of alleged nuisance odors received on December 5, and December 10, 2016.

Staff of the AQD performed the investigations and observed the following air pollution and solid waste violation:

Mr. Robert Walls  
 Ms. Christina Pearse-Bossick  
 Ms. Suparna Chakladar  
 Page 2  
 December 14, 2016

Process Description	Rule/Permit Condition Violated	Comments
Municipal solid waste landfill owned and operated by Advanced Disposal Services; a landfill gas collection and control system owned and operated by Republic Services Inc. which is a subsidiary of BFI Waste Services of North America; and a gas to energy plant owned by Fortistar Methane Group	R 336.1901(b), R 299.4433(1)(c)	AQD staff observed moderate to strong (Level 3 to 4) landfill gas-like odors.

During the investigations performed on December 5, and December 10, 2016, AQD staff detected landfill gas odors in the Steeple Chase subdivision downwind of the facility. These odors were traced back to Arbor Hills Landfill. The observed landfill gas odors are a violation of Rule 901(b). The Rule 901 (b) violation also constitutes a violation of Rule 433(1)(c) since the gases generated by the facility created a nuisance odor beyond the property boundary.

Since the first of this year, MDEQ staff has received over 500 odor complaints regarding Arbor Hills Landfill. In response to complaints and repeated observations of offsite odors, MDEQ staff has conducted numerous on-site inspections and complaint investigations in the immediate area. Though MDEQ staff has documented offsite odors of garbage, compost, and other waste streams, the predominant odors and primary odors of concern continue to be landfill gas. These most recent observations of landfill gas like odors in violation of Rule 901 and Rule 433(1)(c), appear to indicate the landfill gas collection and control systems are inadequate. While the MDEQ recognizes the efforts taken to date to resolve offsite odors, these recent observed odor violations indicate more work needs to be done to minimize landfill gas odors from the facility.

The MDEQ encourages all parties to work cooperatively and immediately to resolve any and all offsite odor issues, but especially the landfill gas odors referenced in this violation. Please submit a written response to this Violation Notice by December 23, 2016, (which coincides with 8 calendar days from the date of this letter).

The written response should include:

Mr. Robert Walls  
Ms. Christina Pearse-Bossick  
Ms. Suparna Chakladar  
Page 3  
December 14, 2016

1. The dates the violation occurred;
2. An explanation of the causes and duration of the violation;
3. Whether the violation is ongoing;
4. A summary of the actions that have been taken to correct the violation;
5. A summary of the actions that are proposed to be taken to correct the violation;
6. The dates by which these actions will take place; and
7. What steps are being taken to prevent a reoccurrence.

In recognition of the ongoing enforcement and associated collaborative corrective action plan requested by the United States Environmental Protection Agency (USEPA), the MDEQ also encourages a joint response from all parties. This response shall include a detailed comprehensive facility-wide work plan with construction schedules that all parties have agreed upon to upgrade the gas collection and control system sufficiently to bring the landfill back into compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, and Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), and the administrative rules.

Thank you for your attention to resolving the violation cited above. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact us by e-mail at [MillerS@michigan.gov](mailto:MillerS@michigan.gov), or [BEANL@michigan.gov](mailto:BEANL@michigan.gov); by telephone at the numbers below; or MDEQ, 301 East Louis Glick Highway, Jackson, Michigan, 49201.

Sincerely,



Scott Miller  
Jackson District Supervisor  
Air Quality Division  
517-780-7481



Lawrence E. Bean  
Jackson District Supervisor  
Office of Waste Management  
and Radiological Protection  
517-416-4375

Mr. Robert Walls  
Ms. Christina Pearse-Bossick  
Ms. Suparna Chakladar  
Page 4  
December 14, 2016

cc/via e-mail: Mr. Anthony Testa, Advanced Disposal Services  
Mr. Nathan Frank, USEPA  
Mr. Kenneth Ruffatto, USEPA  
Ms. Sara Loiacono, USEPA  
Ms. Lynn Fiedler, MDEQ  
Ms. Mary Ann Dolehanty, MDEQ  
Mr. Chris Ethridge, MDEQ  
Mr. Thomas Hess, MDEQ  
Ms. Diane Kavanaugh-Vetort, MDEQ  
Mr. Steve Sliver, MDEQ  
Mr. Lonnie Lee, MDEQ