



STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
JACKSON DISTRICT OFFICE



GRETCHEN WHITMER
GOVERNOR

LIESL EICHLER CLARK
DIRECTOR

March 28, 2019

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Dear [REDACTED]

Thank you for your email regarding concerns you have with the Arbor Hills Landfill (Landfill). The Michigan Department of Environmental Quality takes your concerns seriously. I hope to provide information and answers to your questions. The MDEQ is deeply involved in regulating all environmental aspects of the Landfill and have been working closely with the local community to keep residents informed of these activities.

Background

The Landfill has been operating since 1970. The Landfill receives household wastes, waste from construction and demolition, commercial and industrial waste, sewage sludge, and non-hazardous processed waste.

The Landfill is owned and operated by Advanced Disposal Services (ADS). ADS also operates a yard waste composting area across from the Landfill on West Six Mile Road. Landfill gas created by decaying waste is gathered by a gas collection system. After collection, landfill gas is processed at an onsite gas-to-energy plant. The gas-to-energy plant is operated by Fortistar Methane Group-Arbor Hills Energy LLC (Fortistar). Electric energy produced at the plant is placed on the grid for Detroit Edison.

Odors

A few of your questions are related to odors from the Landfill. Since January 2016, the MDEQ has received over 3,000 odor complaints from residents. Our investigations have shown that odors are coming from several activities at the Landfill: 1) The “working face” or the location on where new waste is delivered; 2) Truck exhaust and waste in the trucks waiting to drop their loads; 3) Composting activities; 4) Leachate, or liquid that comes from the breakdown of the waste and; 5) Landfill gas odors. All these parts of the process may cause odors the community finds to be a nuisance. Since January 2016, the MDEQ has cited the Landfill for 17 violations related to these odors. Odors related to landfills are seldom a health risk, however, the MDEQ continues to work with our toxicologists and the Michigan Department of Health and Human Services, when necessary to assure public health is being protected.

Some of the pollutants created by the breakdown of waste, have extremely low odor thresholds meaning they can be smelled even at very low levels. Some people are more

sensitive to these compounds than others and DEQ has received reports from community members that the odors coming from the Landfill made them nauseous or caused headaches. Significant research has been done on landfill gas showing pollutants are at low enough levels that they are unlikely to cause adverse health effects for community members.

Air Sampling

The MDEQ and the United States Environmental Protection Agency (U.S. EPA) conducted air sampling on numerous occasions in 2016 and 2017. Air samples were tested for methane, hydrogen sulfide (H₂S), and volatile organic compounds (pollutants most commonly associated with landfills). Results from all the monitoring did not find air pollutants at levels to raise public health concerns in the community.

Violations and Enforcement

Since January 2016, MDEQ has cited ADS and Fortistar for 49 violations of State and Federal Environmental Regulations. These violations include nuisance odors originating from trash, compost, and landfill gas impacting adjacent communities. The violations also include numerous operational/management failures. In December 2018 and January 2019, MDEQ completed comprehensive Air Quality and Solid Waste inspection of the Landfill and adjacent gas-to-energy facility (Fortistar).

Your email mentions concern about asbestos disposal at the Landfill. On March 14, 2019, MDEQ issued a Violation Notice (VN) to ADS. The letter identified specific violations and also noted several items of concern. One such item of concern, is ADS's asbestos disposal practices. The letter noted asbestos brought on site needs to be buried and covered at the end of the day to be in accordance with state and federal requirements. ADS has since assured MDEQ that the asbestos is being covered at the end of each day. As such, the risk of asbestos fibers blowing offsite is very low. Follow-up inspections will be conducted to assure this practice continues.

Your email also mentions concerns about Sulfur Dioxide emissions. On February 1, 2019, MDEQ issued a VN to Fortistar in part, for exceeding their permitted sulfur dioxide (SO₂) emission limits during a stack test conducted in October 2018. SO₂ is produced when landfill gas is used to run the gas-to-energy turbines. Fortistar has an existing Air Permit with specific SO₂ emission limits. Sulfur is found in landfill gas. The sulfur content in the landfill gas increased due to the quantity and types of wastes being processed. When landfill gas is burned by the turbines, it forms SO₂. As sulfur content in the gas increases, the SO₂ emissions increase. As a result, Fortistar submitted an Air Permit application to the MDEQ requesting higher SO₂ limits to resolve the Air permit emission violations. Air quality impacts associated with all SO₂ emissions at the landfill and gas-to-energy plant are evaluated through the air permitting process which includes a health-based evaluation.

On January 24, 2019, MDEQ commenced escalated enforcement against ADS. Through this action, MDEQ seeks to formally resolve past/ongoing violations of State and Federal Air and Solid Waste Regulations. Numerous operational changes are necessary for ADS to return to compliance. MDEQ's enforcement action seeks to incorporate operational changes into a legally enforceable corrective action plan. MDEQ is also seeking payment of an appropriate monetary penalty.

Previously, on September 29, 2016, EPA commenced escalated enforcement against ADS. This enforcement action resulted in a Compliance Order issued on May 4, 2017. The Compliance Order required the Landfill to initiate corrective actions to the landfill gas collection system. While the corrective actions have been completed, required maintenance and repairs needed in other parts of the gas collection system have failed to occur. MDEQ's enforcement action seeks to resolve these operational failures.

Going forward, the MDEQ plans to continue to conduct compliance activities at the Landfill and the adjacent Fortistar facility, as well as, odor evaluations in the adjacent neighborhoods until compliance by both companies has been achieved.

Reports that I have mentioned as well as recent actions by the MDEQ can be found at www.michigan.gov/deqarborhills. If you are interested, you can sign up to receive automatic updates regarding MDEQ actions at Arbor Hills Landfill at www.MDEQgovdelivery - select local topic update, Arbor Hills. I hope this letter helps address your concerns. Please feel free to contact me or Diane Kavanaugh-Vetort (517-416-3537, KAVANAUGH@MICHIGAN.GOV) if you have further questions.

Sincerely,

Scott Miller
Jackson District Supervisor
Air Quality Division
517-416-3537

cc/email:
Senator Dayna Polehanki
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Mr. Travis Boeskook, DEQ
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Mr. Larry Bean, DEQ
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