



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
WARREN DISTRICT OFFICE



PHILLIP D. ROOS
DIRECTOR

October 25, 2023

Matthew Williams
Landfill Resource Recovery Manager
Smiths Creek Landfill
6779 Smiths Creek Road
Kimball, Michigan 48074-3506

SRN: N6207, St. Clair County

Dear Matthew Williams:

VIOLATION NOTICE

On October 10 and 18, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Smiths Creek Landfill (SCL) located at 6779 Smiths Creek Road, Smiths Creek (Kimball), Michigan. The purpose of this inspection was to determine SCL'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 Air Pollution Control Rules; and to investigate numerous complaints which AQD received regarding foul landfill gas odors attributed to SCL's landfill operations.

During the October 10 and 18, 2023, inspection, AQD staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Smiths Creek Landfill	Michigan Admin. Code Rule 336.1901	AQD staff verified landfill gas (including hydrogen sulfide H ₂ S, organic sulfur bearing compounds R-SH) odors ^β
^β On October 10, 2023, on Smiths Creek Road, AQD staff detected (distinct and definite) landfill gas sulfur odor continuously (uninterrupted) and, also, on October 18, 2023, AQD detected at various locations, downwind of SCL, distinct and definite objectionable same type of odor. The Rule 901 violation is further corroborated by high methane concentrations (up to 45,752 ppm at M-13 (42.9045235 and -82.595547), significantly higher than 500 ppm). AQD used two (2) SEM5000 methane detector devices equipped with tunable diode laser absorption spectroscopy and has GPS location accuracy of 2 to 4 meters. On both days ambient temperature was in 50s °F with 10-13 mph S. The background methane was about 3 ppm. Please refer to the surface emission monitoring (SEM) inspection letter from Mike Kovalchick of EGLE-AQD.		

SCL has proposed to install a portable landfill gas flare. Be advised that Rule 201 requires that a permit be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant. It is an SCL's responsibility to determine if the proposed portable landfill gas flare is subject to Rule 336.1201 due to significant sulfur dioxide (SO₂) emissions.

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Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by **November 15, 2023** (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 violations are 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.

Please submit the written response to Iranna Konanahalli at EGLE, AQD, Warren District, at 27700 Donald Court, Warren, Michigan 48092 or Konanahalli@Michigan.gov and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If SCL 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 violations cited above and for the cooperation that was extended to me during my inspection of SCL. 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
586-596-7630

cc: Erin Berish, CTI Companies
Laura Neiman, EIL
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Joyce Zhu, EGLE
Robert Joseph, EGLE
Gina, McCann, EGLE
Mike Kovalchick, EGLE
Aaron Darling, EGLE
Mary Carnagie, EGLE
Kerry Kelly, EGLE
Matthew Karl, EGLE