

AK Steel Corporation

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JUL 24 2019

Air Quality Division
Detroit Office

July 22, 2019

Mr. Jonathan Lamb
EGLE, AQD
Detroit District
3058 West Grand Boulevard
Suite 2-300
Detroit, Michigan 48202

RE: Response to Violation Notice Dated July 2, 2019
AK Steel – Dearborn Works
SRN: A8640, Wayne County

Dear Mr. Lamb:

I am writing on behalf of AK Steel Corporation in response to the Violation Notice dated July 2, 2019. In the Violation Notice, EGLE alleges that AK Steel has violated General Condition 12(b) of its Renewable Operating Permit due to a complaint of particulate matter fallout. As discussed below, AK Steel questions the factual basis for the allegation, and even if factually correct, does not agree it forms the basis for noncompliance with General Condition 12(b). Nonetheless, AK Steel will continue to assess bleeder openings and implement appropriate procedures to minimize bleeder emissions.

According to the Violation Notice, EGLE received a complaint of particulate matter fallout on April 18th. AK Steel's C-Blast Furnace experienced three semi-clean bleeder openings that day, lasting for 8 seconds, 11 seconds, and 9 seconds. Due to the semi-clean bleeder openings, wind direction, and a lab analysis of the particulate matter, EGLE concluded that AK Steel "was the most likely source" of the fallout.

Based on that conclusion, EGLE alleged that AK Steel was in violation of General Condition 12(b), which states that: "The permittee shall not cause or permit the emission of an air contaminant or water vapor in quantities that cause, alone or in reaction with other air contaminants . . . Unreasonable interference with the comfortable enjoyment of life and property." This term essentially prohibits the source from being a "nuisance." AK Steel disagrees with two aspects of EGLE's allegation.

First, AK Steel questions the conclusion of the lab analysis. The lab described the material as "metallic particles that respond to a magnet," "quartz like" and "glass-like." This description does not appear consistent with particulate matter from a bleeder opening. A major component of bleeder fallout should include carbonaceous material, either from coal char or coke. Nothing in the lab report indicated that carbonaceous material was present. In addition, nothing in the lab report indicates that the magnetic material contains iron. The material could easily be non-iron magnetic material. It is therefore unclear the basis for the lab to conclude that the material was "consistent with steel manufacturing."

Second, even if the particulate matter is from a bleeder opening, AK Steel disagrees that a single complaint from a resident for particulate matter falling onto their property constitutes "unreasonable interference with the comfortable enjoyment of life and property." EGLE does not identify any specific interference with life or property, let alone an unreasonable one. AK Steel understands that a citizen lodged a complaint with EGLE due to apparent particulate matter on their property. But the mere existence of particulate matter on a citizen's property does not necessarily mean that a source is operating in violation of the prohibition on not causing a nuisance.

Mr. Jonathan Lamb

July 22, 2019

Page 2 of 2

In that regard, it is important to note that the C-Blast Furnace bleeders are permitted emissions points that are allowed to emit particulate matter. They are subject to a visible emissions limit of 20% opacity as a 6-minute average. Due to the extremely short duration of the three bleeder openings (mere seconds) it is certain that the events were in compliance with the opacity standard emission limit. The bleeders are also subject to an operational restriction that requires AK Steel to implement a startup, shutdown and malfunction plan that includes proper operating procedures to minimize bleeder emissions. AK Steel has followed these procedures.

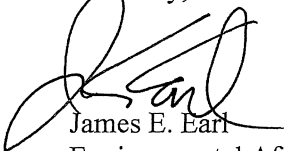
Thus, it seems that EGLE is using the nuisance standard as a catch-all in this circumstance, since the C Blast Furnace was in compliance. Such an approach is questionable, without any evidence establishing that a nuisance in fact exists.

The Violation Notice requested that AK Steel provide certain information. However, due to AK Steel questioning the accuracy of the lab results and objecting to the characterization of this event as a nuisance, we are unable to respond to the request to provide "the dates the violation occurred," "an explanation of the causes and duration of the violation," "whether the violation is ongoing" and "a summary of the actions that have been taken and are proposed to be taken to correct the violation and the dates by which these actions will take place."

The Violation Notice also requests a response regarding "what steps are being taken to prevent a reoccurrence." Even though bleeder emissions are allowed, as noted above AK Steel is required to implement procedures to minimize bleeder emissions. Pursuant to these procedures, AK Steel assesses every bleeder opening to determine the cause. In addition to environmental considerations, bleeder openings are disruptive to normal furnace operations. While bleeders are not frequently opened, they are essential safety equipment that are occasionally required to open during furnace operation to safely relieve sudden excess pressure within the furnace. Thus, AK Steel is always focused on minimizing bleeder openings, and will continue to do so.

If you have any questions on this response, please contact me at 313-845-3217.

Sincerely,



James E. Earl
Environmental Affairs Manager
AK Steel Dearborn Works

Cc: Ms. Jenine Camilleri
EGLE, AQD
Enforcement Unit Supervisor
PO Box 30260