



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



C. HEIDI GREETHER
DIRECTOR

May 30, 2017

Mr. Thomas Smith, General Manager
Edw. C. Levy Company
9300 Dix Avenue
Dearborn, Michigan 48120

SRN: B4243, Wayne County

Dear Mr. Smith:

SECOND VIOLATION NOTICE

On January 27, 2017, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an investigation in response to a citizen complaint regarding fallout on Mellon Street in Detroit occurring on January 26, 2017. The scope of the investigation included the operations at Edw. C. Levy Co. Plant 6 (Levy Plant 6) located at 13800 Mellon Street, Detroit, Michigan. The purpose of the investigation was to determine Levy Plant 6'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 Renewable Operating Permit (ROP) No. MI-ROP-B4243-2016.

On March 13, 2017, the AQD sent the company a Violation Notice citing a violation discovered due to the investigation and requesting your written response by April 3, 2017. Your response was received on April 4, 2017. After reviewing the letter, AQD has determined that the Levy Plant 6 response did not adequately address the violation cited in the Violation Notice. A copy of the March 13, 2017, letter is enclosed for your reference.

AQD understands that Levy Plant 6 conducted an investigation, and the April 4, 2017 response states that no abnormal conditions were identified. However, a portion of the Levy Plant 6 operations are adjacent to the complainant's location. Levy Plant 6 handles calcite materials which was the composition of the fallout sample. Also, winds were from the west/northwest during the alleged incident (between 7 a.m. to 4 p.m. on January 26, 2017) which places the complainant downwind of the Levy Plant 6 operations. The AK Steel lime/calcite handling operations are farther away and to the north of the complaint. As such, Levy Plant 6 is the most likely source of the fallout.

Additionally, during subsequent AQD investigations around this time, it was noted that fine material was blowing from the eastern most conveyor of the Levy Plant 6 Mellon Street operations (closest to the complainant) toward the complainant's location and was not reaching the storage pile. The drop height did not appear to be sufficiently minimized to prevent off site impacts. Please revise your response to the March 13, 2017, letter to include updates to the fugitive dust plan and/or any other procedures to

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ensure conveyors are appropriately positioned in relation to each storage pile, the adjustable stacker height mechanisms are functioning properly, water sprays are sufficiently working each time they are activated, and material exiting the conveyors is sufficiently wet. Please provide the information requested by June 13, 2017, which corresponds to 14 days from the date of this letter.

Be further advised that issuance of this Violation Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under state or federal law as appropriate.

If you have any questions regarding the violation or the action necessary to bring Levy Plant 6 into compliance, please contact me at the number listed below.

Sincerely,



Katie Koster
Senior Environmental Engineer
Air Quality Division
313-456-4678

Enclosure

cc: Mr. Tom Green, Edw. C. Levy
Ms. LaReina Wheeler, City of Detroit, BSEED
cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Wilhemina McLemore, DEQ
Mr. Jeff Korniski, DEQ
Mr. Jonathan Lamb, DEQ