



GRETCHEN WHITMER  
GOVERNOR

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

**EGLE**  
LIESL EICHLER CLARK  
DIRECTOR

December 2, 2021

Mr. Marion Krchmar, Plant Manager  
EES Coke Battery LLC  
P.O. Box 18309, Zug Island  
River Rouge, MI 48218

SRN: P0408, Wayne County

Dear Mr. Krchmar:

**VIOLATION NOTICE**

On July 28, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection at EES Coke Battery, LLC, located at 1400 Zug Island Road, River Rouge, Michigan. Additionally, AQD recently completed review of the Title V semi annual deviation report for January through June 2021 and the additional information for July through September 2021 provided by your staff via email on October 28, 2021. The purpose of the inspection and review was to determine EES Coke Battery’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; the conditions of Permit to Install (PTI) No. 51-08C; and the conditions of Renewable Operating Permit (ROP) No. 199600132d, Section 7.

Based on the inspection and review, the following violations were noted:

Process Description	Rule/Permit Condition Violated	Comments
No. 5 Coke Battery (EUCCOKE-BATTERY)	PTI 51-08C, EUCCOKE-BATTERY, Special Condition (SC) I.25  ROP No. 199600132d, Section 7, Table E-07.01, SC II.10	Facility reported exceeding the instantaneous opacity limit of 20% for fugitive visible emissions during the push and travel operations on EUCCOKE-BATTERY the following number of times:  January – June 2021: 7 July – September 2021: 9  Additionally, AQD staff observed an instantaneous opacity above the 20% limit for fugitive visible emissions while on site on July 28, 2021.

Opacity from fugitive visible emissions during push and travel operations is limited to 20% on an instantaneous basis as measured by Method 9B within PTI 51-08C, EUCKE-BATTERY at SC I.25 and ROP No. 199600132d, Section 7, Table E-07.01, SC II.10. The facility is required to measure the opacity from at least four consecutive push/travel operations each day, with some exceptions. For the semiannual period of January through June 2021, seven opacity exceedances were reported on five separate days. The highest instantaneous opacity observed for this time period was 40%. For the period of July through September 2021, nine exceedances were reported on eight separate days. The highest instantaneous opacity observed for this time period was 50%.

Details of the exceedances are listed in the table below:

<b>Date of reported exceedance</b>	<b>Instantaneous opacity reading in excess of 20%</b>	<b>Number of exceedances</b>
April 26, 2021	40%, 25%	2
April 28, 2021	25%	1
April 29, 2021	30%	1
May 4, 2021	40%	1
June 25, 2021	35%, 30%	2
July 13, 2021	30%	1
July 15, 2021	30%	1
July 19, 2021	50%	1
July 24, 2021	30%	1
July 25, 2021	25%	1
July 26, 2021	35%	1
August 19, 2021	30%, 40%	2
September 26, 2021	25%	1

Additionally, while on site on July 28, 2021, AQD staff observed an instantaneous opacity of 50% from the fugitive emissions during travel associated with a push from Oven 10.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by January 13, 2022 (which coincides with 42 calendar days from the date of this letter). The written response should include, at a minimum, 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.

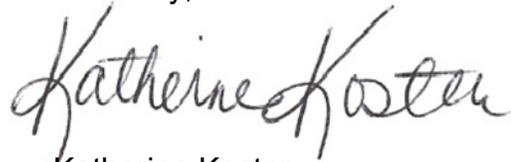
Please submit the written response to the EGLE, AQD, Detroit District, at 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at the EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

Mr. Marion Krchmar  
EES Coke Battery LLC  
Page 3  
December 2, 2021

If EES Coke 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. 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,

A handwritten signature in black ink that reads "Katherine Koster". The signature is written in a cursive, flowing style.

Katherine Koster  
Environmental Engineer Specialist  
Air Quality Division  
313-418-0715

cc: Ms. Brenna Harden, DTE  
Ms. Mary Ann Dolehanty, EGLE  
Dr. Eduardo Olaguer, EGLE  
Mr. Christopher Ethridge, EGLE  
Ms. Jenine Camilleri, EGLE  
Dr. April Wendling, EGLE  
Mr. Jeff Korniski, EGLE  
Mr. Jonathan Lamb, EGLE