



GRETCHEN WHITMER  
GOVERNOR

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



PHILLIP D. ROOS  
DIRECTOR

April 23, 2024

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

SRN: P0408, Wayne County

Dear Marion Krchmar:

**VIOLATION NOTICE**

On March 15, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), received revised emissions reports for the 3<sup>rd</sup> quarter of 2015 and revised Renewable Operating Permit (ROP) deviation reports for the semi annual period of July through December 2015 and 2015 annual from EES Coke Battery, LLC, located at 1400 Zug Island Road, River Rouge, Michigan. The reports were reviewed 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 Install (PTI) No. 51-08C; and the conditions of ROP No. 199600132d, Section 7.

Based on the review, the following violations were noted:

Process Description	Rule/Permit Condition Violated	Comments
No. 5 Coke Battery (EUCOKE-BATTERY)	PTI 51-08C, EUCOKE-BATTERY, Special Condition (SC) I.18	The revised 3 <sup>rd</sup> quarter 2015 report indicates that the facility exceeded the sulfur dioxide (SO <sub>2</sub> ) limit of 0.702 lbs SO <sub>2</sub> /1000 standard cubic feet (kscf) coke oven gas (COG) on a 1-hour average for four previously unreported time periods: 9/2/15 – 0.767 9/12/15 – 1.097 9/23/15 – 0.754 9/25/15 – 0.705
No. 5 Coke Battery (EUCOKE-BATTERY)	PTI 51-08C, EUCOKE-BATTERY, SC VII.2	Failure to submit a satisfactory report as the exceedances of the SO <sub>2</sub> limit were not included in the original 3 <sup>rd</sup> quarter 2015 report.

DTE Energy Services operations at Zug Island (aka EES Coke Battery, LLC)	ROP No. 199600132d, Section 7, General Conditions (GCs) 24 and 28;  R 336.1213(3)(c);  R 336.1213(4)(c)	The responsible official submitted annual and semi annual ROP certifications for 2015 which failed to promptly report deviations and emission exceedances which should have been reported based on reasonable inquiry.
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Sulfur dioxide in coke oven gas is limited to 0.702 lbs/kscf COG on a 1-hr average in SC I.18 of PTI 51-08C, EUCKE-BATTERY. According to the information provided in the March 15, 2024, revised report, an error was discovered that resulted in four previously unreported exceedances of SC. I.18 which are listed in the table above.

Additionally, SC VII.2 of EUCKE-BATTERY in PTI 51-08C, requires, in part, that “the permittee shall report, in a satisfactory manner, the 1-hr average SO<sub>2</sub> emission rate as described in emission limit SC I.18 on a quarterly basis including any data substitution for each hour of monitor downtime.” As these exceedances were not included in the original 2015 report, this is a failure to report in a satisfactory manner.

Furthermore, the SO<sub>2</sub> exceedances represent deviations from the ROP requirements that should have been reported. The AQD administrative rules at R 336.1213(3)(c) require the reporting of deviations not less than once every 6 months and further require the report to be certified by the facility’s responsible official for its truth, accuracy, and completeness after reasonable inquiry. The administrative rules at R 336.1213(4)(c) also require an annual certification of compliance from the facility’s responsible official, excepting those deviations identified by the facility after reasonable inquiry. These requirements are incorporated into the ROP at Section 7, GCs 24 and 28.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by May 14, 2024 (which coincides with 21 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.

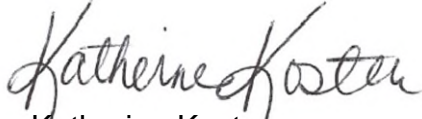
Please submit the written response to EGLE, AQD, Detroit District, at 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at the EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

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.

Marion Krchmar  
EES Coke Battery LLC  
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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 cursive script that reads "Katherine Koster".

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

cc: Laura Harris, DTE  
Annette Switzer, EGLE  
Christopher Ethridge, EGLE  
Brad Myott, EGLE  
Jenine Camilleri, EGLE  
Dr. April Wendling, EGLE  
Jeff Korniski, EGLE