



GRETCHEN WHITMER
GOVERNOR

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



PHILLIP D. ROOS
DIRECTOR

November 12, 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 October 31, 2024, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), completed review of the Title V deviation report for January through June 2024 for EES Coke Battery, LLC, located at 1400 Zug Island Road, River Rouge, Michigan. The report was postmarked September 13, 2024. AQD also reviewed the January through June 2023 Title V deviation report on an earlier date. The purpose of this 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 review of the reports, the following violations were noted:

Process Description	Rule/Permit Condition Violated	Comments
No. 5 Coke Battery (EUCCOKE-BATTERY)	PTI 51-08C, FGMACTL, SC I.2 ROP No. 199600132d, Section 7, Table E-07.01, SC V.24 40 CFR Part 63, Subpart L, §63.307(c)	Facility exceeded the visible emissions limit of no visible emissions from each of the bypass/bleeder flares except for periods not to exceed a total of 5 minutes during any two consecutive hours. Visible emissions from any one flare for a total of 5 minutes over two consecutive hours occurred, at a minimum, the following number of times: January – June 2023: 16 January - June 2024: 15

No. 5 Coke Battery (EUCCOKE-BATTERY)	PTI 51-08C, EUCCOKE- BATTERY, General Condition (GC) 11(a) ROP No. 199600132d, Section 7, GC 2(a) R 336.1301(1)(a)	Bypass/Bleeder flare stacks are each subject to a 20% 6- minute average opacity limit, except for one 6-minute average per hour of not more than 27% opacity. The facility reported the following number of opacity exceedances in the semiannual deviation reports: January – June 2023: 15 January – June 2024: 172
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PTI 51-08C, FGMACTL, SC I.2; ROP No. 199600132d, Section 7, Table E-07.01, SC V. 24; and 40 CFR Part 63, Subpart L, §63.307(c) state that there shall be no visible emissions from each bypass/bleeder flare, as determined §63.309(h)(1), except for periods not to exceed a total of 5 minutes during 2 consecutive hours. There are eight separate bleeder flares on EUCCOKE-BATTERY. Any incident where a single flare is open for more than 5 minutes total in a consecutive two-hour period is reported as a deviation of the visible emission limit. For the semiannual period of January through June 2023, 16 exceedances were recorded on 4 separate days. For the semiannual period of January through June 2024, 15 exceedances were recorded on 3 separate days. It is unclear how the facility is characterizing bleeders that are open for longer than 2 hours. At this time, AQD has counted them as a single exceedance.

Date of reported exceedance	Bleeder Open	Length of time (Hr:Min:Sec)	Reason
February 3, 2023	1B 4B	0:09:42 0:09:30	Loss of a boiler
March 21, 2023	1A 1B 2A 2B 3A 3B 4A 4B	0:13:29 0:12:21 0:06:36 0:16:15 0:07:20 0:09:14 0:12:40 0:11:36	Byproducts exhauster trip
March 28, 2023	1B 2A 2B 3A 4B	0:06:28 0:06:53 0:10:53 0:10:50 0:08:13	Byproducts exhauster trip

June 27, 2023	4B	0:06:07	Byproducts exhauster trip
April 29, 2024	1A	0:05:48	Steam loss (Loss of boilers)
	1B	0:06:49	
	2A	0:08:22	
	3A	0:07:33	
	3B	0:08:31	
June 11, 2024	2A	0:05:05	#2 Askania maintenance
	2B	0:08:16	
June 18, 2024	1A	3:41:14	Steam loss (Loss of boilers)
	1B	1:46:18	
	2A	0:34:38	
	2B	3:39:32	
	3A	2:41:34	
	3B	1:32:32	
	4A	1:23:55	
	4B	3:09:28	

R 336.1301(1)(a) and PTI 51-08C, GC 11(a) and ROP No. 199600132d, Section 7, GC 2(a) state, in part, that a person “shall not cause or permit to be discharged into the outer air from a process or process equipment a visible emission of a density greater than the most stringent of the following: a 6-minute average of 20% opacity, except for one 6-minute average per hour of not more than 27% opacity.” In the January through June 2023 ROP semiannual report, EES Coke reported 15 exceedances of this opacity limit. In the January through June 2024 ROP semiannual report, EES Coke reported 172 exceedances of this opacity limit. All exceedances were related to the bleeder openings listed in the table above.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by December 3, 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 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.

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 black ink that reads "Katherine Koster". The signature is fluid and cursive, with the first name "Katherine" and last name "Koster" clearly distinguishable.

Katherine Koster
Senior 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
Jonathan Lamb, EGLE