

AK Steel Corporation

4001 Miller Road
Dearborn, MI 48121-1699

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James E. Earl

Environmental Affairs Manager
Dearborn Works

March 13, 2017

Ms. Katherine Koster
Senior Environmental Engineer
Air Quality Division
Detroit District Office
Cadillac Place, Suite 2-300
3058 West Grand Blvd
Detroit, MI 48202

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Air Quality Division
Detroit Office

Subject: Response of Violation Notice
AK Steel Dearborn Facility
4001 Miller Road
Dearborn, Michigan 48120-1699
SRN: A8640, Wayne County

Dear Ms. Koster:



AK Steel Dearborn Works (AK Steel) provides this response letter to address the alleged violation identified in MDEQ's violation notice dated February 23, 2017. Set forth below is a response to the information required by the Violation Notice, along with AK Steel's position on the alleged violation.

Initially, however, note that MDEQ concludes in the Violation Notice that the Edw. C. Levy Co. (Levy) Blast Furnace Slag Pit operation was the cause of the fugitive dust incident. While AK Steel and Levy are considered a single source for ROP purposes, each company is responsible for permit terms associated with their specific operation. Therefore, since the Violation Notice identified only a Levy emissions unit, the Violation Notice should have been issued only to Levy. While AK Steel and Levy certainly communicate and coordinate on any issue associated with slag handling, AK Steel believes it is appropriate for a Violation Notice to be sent only to the company with responsibility over the emission source at issue.

The Violation Notice requested a response on the following items:

The dates the violation occurred.

The fugitive dust incident occurred on December 23, 2016.

An explanation of the causes and duration of the violation.

The cause of the fugitive dust incident was due to the dumping in the slag pit of a blast furnace slag pot containing some iron. Due to problems with the slag skimmer at the blast furnace, some iron that normally would be directed to the torpedo cars went into the slag pot instead. Levy personnel were notified that there was some iron in the slag pot and took precautions by pouring slower than normal in an effort to reduce emissions. AK Steel estimates that it took about 2 minutes to pour the pot. Since the slag pots are not designed to hold iron, there is a safety concern that

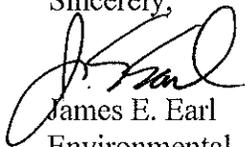
Second, whether there was fallout or not, AK Steel does not believe this incident resulted in an “unreasonable interference with the comfortable enjoyment of life and property” such that a nuisance condition existed. MDEQ does not identify any specific interference with life or property, let alone an “unreasonable” one, and instead only references the professional judgment of AQD staff. While AK Steel understands an upset citizen took photographs of the incident and contacted MDEQ, that fact does not constitute a nuisance.

Third, it seems that MDEQ is using the nuisance allegation as a “catch-all” in this circumstance, due to the absence of any monitoring data. Since an inspector was not on site at the time of the incident, MDEQ could not conduct a visible emissions observation. A visible emissions observation could have possibly identified noncompliance. However, without monitoring data, it appears that MDEQ is using the nuisance provision in order to identify a purported basis to issue a Violation Notice. Such an approach is questionable, without any evidence establishing that a nuisance in fact exists.

Based on the above, AK Steel disagrees with MDEQ’s conclusion that the fugitive dust incident resulted in a nuisance condition in violation of ROP General Condition 12(b) and R. 336.1901(b). Nonetheless, as noted above, AK Steel has implemented procedures to ensure emissions are as minimal as possible in the event this rare occurrence of excessive iron in a slag pot occurs again in the future.

If you have any questions regarding the provided information or require additional information, please contact me at 313-845-3217.

Sincerely,



James E. Earl
Environmental Affairs Manager
AK Steel Dearborn Works

cc. L. Combs
N. Kohlhas
D. Miracle
D. Pate