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January 13, 2016

Todd Zynda
Michigan Department of Environmental Quality
Air Quality Division
Cadillac Place
3058 W. Grand Blvd.
Suite 2-300
Detroit, MI 48202-6058

Subject: December 2, 2015 Violation Notice - Levy Plant 1 SRN B3533

Dear Mr. Zynda,

The Edw. C. Levy Co. (Levy) is in receipt of your Violation Notice (VN), dated December 2, 2015 alleging violations of Special Conditions of Wayne County Installation Permits C8611-C8614. The genesis of this VN was an inspection you conducted at the site with me on October 21, 2015.

As we discussed during the inspection, the Wayne County Installation Permits (C8611-C8614) are very dated. As a result, you requested that Levy complete and submit an MDEQ Permit to Install application to obtain a new MDEQ permit to replace these old Wayne County permits. I agreed. Levy has hired Arcadis, LLC to complete the application and it will be submitted to MDEQ by February 5, 2016.

With regards to the specific observations you included in your VN, Levy provides the responses listed below:

Alleged Violation #1: "The facility does not maintain records to demonstrate compliance with the pound per hour and ton per year limits for screening tower 1." (WCIPs C-8611 through C-8614, Special Condition 18)

Response to Alleged Violation #1: Levy disagrees with this allegation. Records are maintained that demonstrate compliance with the pound per hour and ton per year limits for screening tower 1. On October 29, 2015, you received copies of Levy's 2013, 2014 and 2015 (year to date) MAERS calculation spreadsheets. These spreadsheets are used to calculate the amount of particulate matter emissions from every piece of equipment for the entire plant. As stated in the Wayne County permit conditions, the particulate matter emission limits for screening tower 1 are 8.39 lbs/hr and 8.39 tons/yr. As displayed in these spreadsheets, the calculated particulate matter emissions for the entire plant are well below the limits specified for just Tower 1. For reference, the calculated emissions

in 2013 for the entire plant was 2.21 lbs/hr and 1.84 tons. Similarly, in 2014 the calculated emissions for the entire plant was 2.21 lbs/hr and 1.67 tons.

The particulate matter for screening tower 1 can easily be calculated from the data maintained in the MAERS spreadsheets. Levy will modify the spreadsheets to sum the emissions from screening tower 1.

Alleged Violation #2: "The facility does not maintain records to demonstrate compliance with the pound per hour and ton per year limits for screening tower 2." (WCIPs C-8611 through C-8614, Special Condition 20)

Response to Alleged Violation #2: Levy disagrees with this allegation. Records are maintained that demonstrate compliance with the pound per hour and ton per year limits for screening tower 2. On October 29, 2015, you received copies of Levy's 2013, 2014 and 2015 (year to date) MAERS calculation spreadsheets. These spreadsheets are used to calculate the amount of particulate matter emissions from every piece of equipment for the entire plant. As stated in the Wayne County permit conditions, the particulate matter emission limits for screening tower 2 are 3.75 lbs/hr and 3.75 tons/yr. As displayed in these spreadsheets, the calculated particulate matter emissions for the entire plant are well below the limits specified for just Tower 2. For reference, the calculated emissions in 2013 for the entire plant was 2.21 lbs/hr and 1.84 tons. Similarly, in 2014 the calculated emissions for the entire plant was 2.21 lbs/hr and 1.67 tons.

The particulate matter for screening tower 2 can easily be calculated from the data maintained in the MAERS spreadsheets. Levy will modify the spreadsheets to sum the emissions from screening tower 2.

Alleged Violation #3: "The facility does not maintain records to demonstrate compliance with the pound per hour and ton per year limits for crushing and iron processing." (WCIPs C-8611 through C-8614, Special Condition 21)

Response to Alleged Violation #3: Levy disagrees with this allegation. Records are maintained that demonstrate compliance with the pound per hour and ton per year limits for crushing and iron processing. On October 29, 2015, you received copies of Levy's 2013, 2014 and 2015 (year to date) MAERS calculation spreadsheets. These spreadsheets are used to calculate the amount of particulate matter emissions from every piece of equipment for the entire plant. As stated in the Wayne County permit conditions, the particulate matter emission limits for crushing and iron processing are 6.75 lbs/hr and 6.75 tons/yr. As displayed in these spreadsheets, the calculated particulate matter emissions for the entire plant are well below the limits specified for just crushing and iron processing. For reference, the calculated emissions in 2013 for the entire plant was 2.21 lbs/hr and 1.84 tons. Similarly, in 2014 the calculated emissions for the entire plant was 2.21 lbs/hr and 1.67 tons.

The particulate matter for crushing and iron processing can easily be calculated from the data maintained in the MAERS spreadsheets. Levy will modify the spreadsheets to sum the emissions from crushing and iron processing.

Alleged Violation #4: "Records provided indicate that the facility operated air cooled slag operations greater than 2,000 hours during 2013, 2014, and 2015." (WCIPs C-8611 through C-8614, Special Condition 28)

Response to Alleged Violation #4: Levy disagrees with the allegation that it operated the slag processing plant more hours than the limits established in the Wayne County permits. Special condition 28 states, "Applicant shall not operate the air cooled slag processing plant for more than 2,000 hours per year." Special condition 30 states, "If processing only light weight slag, operating hours shall not exceed 520 hours per year." As we discussed during your inspection, air cooled slag and light weight slag are the same materials, with the exception that light weight slag is less dense due to a rapid cooling process, which occurs off-site. These materials have been processed through the same plant, utilizing the same emission factors for years. In the late 1990s, Levy stopped producing "light weight slag". In 2000, a permit application was submitted to the MDEQ requesting a modification to increase the hours of operation for "air cooled slag" to 2400 hours/year. It is my understanding that this permit application was pulled when MDEQ concurred that "air cooled slag" and "light weight slag" are the same material, with the same chemistry and processing emission factors. Since that time, Levy has operated the slag plant with an understood permit limit of 2,520 hours per year, the combined permitted total from the permit.

We anticipate that this hours of operation limit will disappear when a new permit is issued, since all emission calculations are based upon the volume material processed.

Alleged Violation #5: "The facility failed to maintain the minimum moisture content of 1.5 percent by weight in the raw materials and processed slag. Records provided indicate that the measured moisture content was 1.3 percent for product 1107-5G BF." (WCIPs C-8611 through C-8614, Special Condition 34)

Response to Alleged Violation #5: Levy disagrees with this allegation. Please see the table on the next page summarizing the data that was provided to you on October 29, 2015.

Moisture Content in Blast Furnace Slag Products

Material Sampled	2013		2014		2015	
	Number of Samples	Ave. Moisture Percent	Number of Samples	Ave. Moisture Percent	Number of Samples	Ave. Moisture Percent
4G	12	2.6	29	2.4	209	2.8
6AA	124	1.7	210	1.8	206	2.3
21AA	71	2.3	81	2.3	-	-
21AA (D)	33	2.3	2	2.1	-	-
29A	116	1.9	12	2.5	50	2.8
30A	104	3.2	150	3.2	176	3.7
3/8"X#4	115	2.0	157	1.9	156	3.1
P-209	99	2.7	45	1.7	111	2.2
P-209 W&S	-	-	-	-	2	5.6
3CS	25	1.9	-	-	-	-
ASTM 3/4"	3	1.6	4	2.0	-	-
INT AGG	3	1.8				
17A	-	-	19	2.4	-	-
5G	-	-	1	1.3	1	2.3

Based upon the data provided, Levy has demonstrated that it maintains a minimum moisture content of 1.5% by weight. The number of samples per product is dictated by the quantity of each product produced.

Alleged Violation #6: *“The facility failed to maintain records of date of treatment, control measure, etc. for storage piles and material handling.” (SIP Consent Order 16-1993 (revised September 9, 1994), Stipulation 9, Exhibit A)*

Response to Alleged Violation #6: Water is added to control fugitive dust during slag processing. Water sprays on the plant operate 365 days per year. The stockpiled products produced maintain a moisture content that minimizes fugitive dust during future material handling operations. Slag stockpiles are not a significant source of fugitive dust and do not require watering. The stockpile you observed being water, during your October 21, 2015 inspection, was not being watered for dust control. This particular slag product is used as an aggregate in concrete. As a result, we water this product to elevate the moisture content to meet customer requirements for the production of concrete.

Levy will add a section to its fugitive dust logs to record any stockpile watering performed to control fugitive particulate matter.

Please let me know if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas E. Green", with a long horizontal flourish extending to the right.

Thomas E. Green, P.E.
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(313) 690-0139

cc: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Ms. Wilhemina McLemore, DEQ
Mr. Jeff Korniski, DEQ
Mr. Ben Kroeger, Levy
Mr. Mike Taylor, Levy