



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DETROIT FIELD OFFICE



DAN WYANT  
DIRECTOR

April 9, 2014

Mr. Thomas Green  
Director, Environmental Services  
Edw. C. Levy Co.  
8800 Dix Avenue  
Detroit, Michigan 48209

SRN: B3533, Wayne County

Dear Mr. Green:

**VIOLATION NOTICE**

On March 14, 2014, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted a complaint investigation regarding fallout that was observed following a storm event that occurred on March 12, 2014. Based on wind direction and proximity to the complainant's address, AQD staff identified Edward C. Levy Company (Edw. C. Levy) – Plant 1 located at 8800 Dix Avenue, Detroit, Michigan as a potential source of the fallout material. The purpose of the complaint investigation was to determine Edw. C. Levy'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; and the conditions of Wayne County Installation Permit (WCIP) C-8611 through C-8614.

During the investigation, AQD staff observed fallout which resembled the appearance of processed blast furnace slag on Oakdale Street and in General S. George Patton Park located to the south of Edw. C. Levy - Plant 1. As a courtesy, AQD notified your staff of the complaint on March 18, 2014. A composite sample was collected at the complainant's property on March 14, 2014. Additionally, a reference sample was collected from the slag sand (fines) pile located at Edw. C. Levy – Plant 1 property on March 19, 2014. Both samples were sent to a laboratory for microscopic examination. The attached lab results show the samples are nearly identical in appearance. Meteorological data indicates that the complainant was downwind of Edw. C. Levy – Plant 1 during the storm event that took place on March 12, 2014.

Based on the investigation and sample results, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Blast furnace slag processing facility	R 336.1901(b)	Detection of fallout beyond the facility's property line, attributable to the facility, of sufficient magnitude so as to constitute an unreasonable interference with the comfortable enjoyment of life and property.
	General Condition 7 of WCIP C-8611 through C-8614	

Based on the lab analysis of the fallout sample and comparison with the reference sample collected at Edw. C. Levy - Plant 1 on March 19, 2014, the proximity of Plant 1 property to the complainant's home, and wind direction on the date the incident occurred, AQD staff have

Mr. Thomas Green  
Page 2  
April 9, 2014

determined that the process operations of Edw. C. Levy Co. Plant 1 at 8800 Dix Avenue is the likely source of the fallout. In the professional judgment of AQD staff, the dust fallout that was observed during the investigation was sufficient enough as to constitute a violation of General Condition 7 of WCIP C-8611 through C-8614 and R 336.1901(b): an "unreasonable interference with the comfortable enjoyment of life and property."

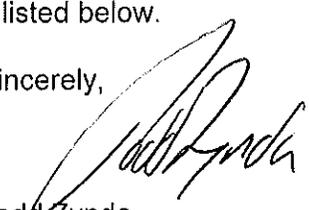
Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by April 30, 2014 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violation occurred; an explanation of the causes and duration of the violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Additionally, in your response please include a copy of the records required in WCIP C-8611 through C-8614, Special Condition 38, and the associated Fugitive Dust Control Plan, from March 1 through March 13, 2014.

If Edw. C. Levy 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 violation cited above and for the cooperation that was extended to me during the reference sample collection at Edw. C. Levy - Plant 1. If you have any questions regarding the violation or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Todd Zynda  
Environmental Engineer  
Air Quality Division  
313-456-2761

Enclosure

cc via email: Ms. Lynn Fiedler, DEQ  
Ms. Teresa Seidel, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Wilhemina McLemore, DEQ