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December 12, 2018

Ms. Katie Koster
MDEQ Detroit, AQD
Detroit Field Office, Cadillac Place
3058 W. Grand Blvd., Suite 2-300
Detroit, MI 48202-6058

**Subject: November 21, 2018 Violation Notice
Edw. C. Levy Co., Plant 6
SRN: B4243, Wayne County**

Dear Ms. Koster:

The Edw. C. Levy Co. (Levy) is in receipt of the subject Violation Notice (VN) dated November 21, 2018, for alleged fallout in Melvindale, Michigan on September 23, 2018. The VN alleges violation of General Condition No. 12(b) of ROP No. MI-ROP-B4243-2016 and Rule 901(b).

Levy does not agree with MDEQ's conclusion that Levy violated General Condition No. 12(b) of ROP No. MI-ROP-B4243-2016 and Rule 901(b).

Levy first became aware of this alleged event via email from MDEQ at 4:22 PM on Monday, September 24th. As stated in prior correspondence, Levy inspected the alleged impacted neighborhood upon notification from MDEQ and no evidence of steel slag fallout was observed.

During the time of the alleged fallout event, there was a widespread power outage in Melvindale and the surrounding areas. This power outage began at approximately 5 PM on Friday, September 21 and power was ultimately restored on Sunday, September 23 around 2:00 PM.

Due to the power outage the slag processing plant did not operate, and site operations were minimal. However, the steel mill continued to operate, and several slag pots were dumped and possibly knocked the morning of September 23, 2018. Due to the power outage, the Dust Boss system at the pot knocking enclosure was not operating. The Dust Boss system was returned to operation when the power was restored. Based upon interviews with employees, the power supply to the knock station Dust Boss system is extremely reliable with very few known interruptions.

However, as a proactive measure, we are installing a quick-connect fitting to the electrical panel that serves the Dust Boss system that will allow immediate hookup of a readily-available generator in the case of future power outage.

The VN also notes a second alleged fallout incident. This alleged fallout incident, occurring between September 15 and 16, 2018, was not reported to Levy prior to receipt of the November 21, 2018 VN. As a result, Levy did not have the opportunity to conduct a thorough and timely investigation of the

alleged fallout incident. Review of Levy operating logs during and around this time found no abnormal operations, or any circumstances that would be associated with fallout conditions.

The VN includes a sample analysis of two dust samples. The samples were tested by Merit Laboratories using stereomicroscopy and polarized light microscopy (PLM). Sample S94941.01 is related to the alleged September 15-16 fallout event, and Sample S94941.02 is related to the alleged September 23 fallout event.

The narrative report states that the samples “contained many opaque, glassy (with reflected light), multicolored (black, colorless, amber, red), equant particles that respond to a magnet. Other particles included some small, red particles (likely iron oxide), some colorless to light brown, crystal-like agglomerate particles as well as a few rod-like, colorless particles”.

Given the lack of quantitative data such as a ratio of particle sizes and colors, or spectrographic data showing the elemental constituents of the sample, the sample analysis provided in the VN for the two samples collected from Wall Street, does not conclusively establish that the sampled material is slag dust, or that it originated from Levy Plant 6.

Furthermore, the laboratory data associated with the September 15-16 alleged fallout event (Merit Laboratories Sample S94941.01) was self-collected by the Melvindale resident at an unreported time. The sample from this alleged event was retrieved by the MDEQ on September 21, 2018 and sent to the lab for analysis. Given the lack of information as to the time of the sample, the collection methods by the resident, and general absence of quality control in the approximately five days between the resident taking the sample and its receipt by MDEQ, we do not believe is a reliable sample and we respectfully request that allegations of a fallout event attributable to Levy on September 15-16, 2018 be withdrawn.

Levy’s operations have been inspected and are operating in compliance with permit conditions. Levy will continue to monitor its operations for opportunities to reduce potential emissions from all operations. As we have discussed in the past, timely notification of fallout complaints is key to identification of potential sources. Please contact us as soon as possible when you receive a complaint from one of our neighbors.

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

Sincerely,



Thomas E. Green, P.E.
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cc: Tim Lazarz, Operations Manager, Levy
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