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Air Quality Division
Detroit Office

December 6, 2019

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

**Subject: November 19, 2019 Violation Notice Response
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 19, 2019, alleging six violations of ROP No. MI-ROP-B4243-2016, the SIP Consent Order 18-1993, and associated state regulations. We address the alleged violations below in the order they are noted on the VN.

- 1) **RULE/CONDITION:** ROP B4243-2016, EULEVYPLANT6, S.C. II.1
EGLE COMMENT: Exceedance of the 400 tons per hour raw material throughput limit on May 21, 2018
LEVY COMMENT: The production record submitted to the state listed 872 tons of production in one (1) hour. The correct daily production time was seven (7) hours, for an average production of 125 tons per hour. It is not theoretically possible for the plant to have run 872 tons in one hour.
LEVY CORRECTIVE ACTION: Correction to production data used for environmental calculations.

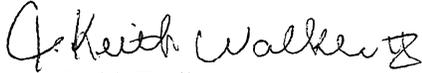
- 2) **RULE/CONDITION:** ROP B4243-2016, EULEVYPLANT6, S.C. III.1
EGLE COMMENT: Failure to comply with the minimum moisture content requirement for the 3X product throughout 2018, on 18 occasions
LEVY COMMENT: 3X material is effectively a rock 3 inches in diameter; the fines have been screened out and therefore there is little to no silt content in 3X to retain moisture, or create fugitive dust. For this reason, the 2019 PTI 05-19 issued by EGLE for the portable plants for EULEVYPLANT6 requires moisture testing for materials $\frac{3}{4}$ " and under only.
LEVY CORRECTIVE ACTION: Permit modification as described above.

- 3) **RULE/CONDITION:** ROP B4243-2016, EUBOFSLAGPIT, S.C. III.1 and SIP Consent Order 18-1993 (Revised 9/9/1994), Exhibit A
EGLE COMMENT: Failure to quench dumped slag with water before digging. During on-site inspection it was observed that the water sprays on the slag pits were out of service, yet slag was still being dug from pits.
LEVY COMMENT: Levy previously addressed this issue in the Deviation Reports submitted for the second half of 2018 and the first half of 2019. Due to management changes, the previous process of using portable hoses to quench the slag stopped. An alternative slag quenching process was used, in which slag was watered during the digging process versus prior to digging. The permit-required visible emission (VE) limits were not exceeded while the alternative quenching process was in use.
LEVY CORRECTIVE ACTION: The BOF pits are now watered prior to digging, following installation of a hard-piped system that was operating by May 15, 2019.
- 4) **RULE/CONDITION:** ROP B4243-2016, EUBOFSLAGPIT, S.C. VI.3
EGLE COMMENT: Failure to document that water sprays were not working and the reason for the failure during the required weekly inspections of the water spray systems on the slag pit dumping areas.
LEVY COMMENT: Due to the management changes noted above in Item 3, miscommunication occurred, and the inspectors believed inspecting the quench area used during the pit digging operation, and confirming water flow was present, was sufficient to meet this requirement.
LEVY CORRECTIVE ACTION: The BOF pits are now watered prior to digging, following installation of a hard-piped system that was in place by May 15, 2019. Weekly inspections include verification of the hard-piped system function.
- 5) **RULE/CONDITION:** ROP B4243, Source-Wide Conditions S.C. VII.4 and SIP Consent Order 18-1993 (Revised 9/9/1994), Paragraph 11
EGLE COMMENT: Failure to submit quarterly reports indicating that an operational requirement specified in SIP Consent Order 18-1993 (i.e. spray water on the slag pits before digging) was not met.
LEVY COMMENT: Due to the management changes noted above in Items 3 and 4, it was believed that the quench area used during the pit digging operation was sufficient to meet this requirement.
LEVY CORRECTIVE ACTION: The BOF pits are now watered prior to digging, following installation of a hard-piped system that was in place by May 15, 2019.
- 6) **RULE/CONDITION:** ROP B4243, General Conditions 19, 21, and 23, and Rule 213(3)(c) and 213(4)(c).
EGLE COMMENT: Failure by the responsible official to report deviations of the above violations in the semi-annual and/or annual reports for CY2018 which should have been reported based on reasonable inquiry.
LEVY COMMENT: The AQD assertion is not entirely correct. Levy reported the deviation for pit watering on the combined compliance report for the second half of 2018 and calendar year 2018. The report was submitted on May 15, 2019 and noted "BOF slag pits were not consistently watered before digging" and provided the explanation noted in Item 3 above.
LEVY CORRECTIVE ACTION: The deviation reports submitted on May 15, 2019 for the 2018 year, and on November 14, 2019 for the first half of 2019, properly reported the deviation.

Plant 6 operations have been inspected and are operating in compliance with permit conditions. Levy will continue to monitor its facilities for opportunities to reduce potential emissions from our operations.

Please contact Matt Perko, Environmental Engineer (313-820-4057; mperko@edwclevy.net) or Tom Green, Director of EHS (313-690-0105, tgreen@edwclevy.net) if you have any questions or need additional information.

Sincerely,



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