



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DETROIT FIELD OFFICE



DAN WYANT  
DIRECTOR

November 8, 2013

Mr. Thomas Smith, General Manager  
Edw. C. Levy Company  
8800 Dix Avenue  
Detroit, Michigan 48209

SRN: B4243, Wayne County

Dear Mr. Smith:

**VIOLATION NOTICE**

On September 6, October 3, and October 15, 2013, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted investigations in response to citizen complaints regarding fallout in Melvindale and Detroit. The scope of the investigations included Edw. C. Levy Co. Plant 6 located at 13800 Mellon Street, Detroit, Michigan. The purpose of the investigations was to determine your facility's compliance with the requirements of the Federal Clean Air Act; Article II, 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 your Renewable Operating Permit (ROP) No. MI-ROP-B4243-2009.

During each investigation, samples of the fallout were obtained and sent to a laboratory for analysis. Lab results show the samples contain a substantial amount of iron, slag, and other materials (calcite, silicon dioxide) consistent with the composition of steel slag. Copies of the lab results are enclosed.

Based on the investigations, the following violations were observed:

Process Description	Rule/Permit Condition Violated	Comments
Steel slag handling and processing operations	General Condition 12(b) of ROP No. MI-ROP-B4243-2009 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.

Based on the analysis of the fallout samples, the proximity of your facility to the complainants' homes and place of business, and prevailing wind directions on the dates the incidents occurred, AQD staff has determined that the operations at Edw. C. Levy Co. Plant 6 are the most likely source of the fallout. In the professional judgment of

AQD staff, the fallout that was observed during these investigations was sufficient enough as to constitute a violation General Condition 12(b) of ROP No. MI-ROP-B4243-2009, and R 336.1901(b): an "unreasonable interference with the comfortable enjoyment of life and property."

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by November 29, 2013 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

If Edw. C. Levy Co. 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 violations cited above. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please call me at the number listed below.

Sincerely,



Katherine Koster  
Senior Environmental Engineer  
Air Quality Division  
313-456-4678

Enclosure(s)

cc: Mr. Tom Green, Edw. C. Levy  
Mr. Jim Earl, Severstal  
cc via email: Ms. Lynn Fiedler, DEQ  
Ms. Teresa Seidel, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Wilhemina McLemore, DEQ