



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT FIELD OFFICE



DAN WYANT
DIRECTOR

December 13, 2013

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

SRN: B4243, Wayne County

Dear Mr. Smith:

SECOND 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 Renewable Operating Permit (ROP) No. MI-ROP-B4243-2009.

On November 8, 2013, the AQD sent the company a Violation Notice citing violations discovered as a result of the investigations and fallout sample analysis. In the letter, AQD requested your written response by November 29, 2013. A copy of that letter is enclosed for your reference.

Your response, received on December 2, 2013, was not sufficient, as it failed to adequately address the steps being taken to prevent a reoccurrence. Please provide information about actions that have been and will be taken to prevent another explosion at the BOF skull knocking station, including, but not limited to, modifications to operating procedures, changes or upgrades to the drainage system, inspections and re-grading of the site, etc. Also, your letter indicated that three months have elapsed since the explosion and provided a target date of December 6, 2013, for repair of the knock station enclosure. In your response, please confirm the completion date and include an explanation of why three months were needed to complete the repair.

Furthermore, based on discussions with Edw. C. Levy, it is AQD's understanding that a review of other potential fugitive emission sources, including material handling and watering of the skulled material, was conducted and procedures were modified. Your response should include this information and any other areas of the process that were evaluated and any actions taken to minimize the potential for fallout.

Please be advised that failure to respond in writing and identifying actions the company will take or has taken to resolve the cited violations may result in escalated enforcement

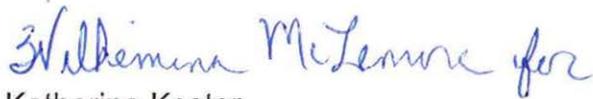
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action by the AQD. Please provide the information requested in our November 8, 2013 letter by January 3, 2014 which corresponds to 21 days from the date of this letter.

Be further advised that issuance of this Violation Notice does not preclude or limit the DEQ's ability to initiate any other enforcement action under state or federal law as appropriate.

If you have any questions regarding the violations or the actions necessary to bring Edw. C. Levy Co. Plant 6 into compliance, please contact me at the number listed below.

Sincerely,



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

cc: Mr. Thomas Green, Edw. C. Levy
cc via email: Ms. Lynn Fielder, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Ms. Wilhemina McLemore, DEQ