



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



DAN WYANT
DIRECTOR

October 28, 2015

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 16, September 22, and October 15, 2015, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted investigations in response to citizen complaints regarding fallout incidents in Detroit and Melvindale. The scope of the investigations included the operations at Edw. C. Levy Plant 6 located at 13800 Mellon Street, Detroit, Michigan. The purpose of the investigations 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 Renewable Operating Permit (ROP) No. MI-ROP-B4243-2009.

During the investigations, samples of the fallout were obtained and sent to a laboratory for analysis. Lab results show the samples contain a substantial amount of unfused ash, iron, slag, and ferro-magnetic particles, which are consistent with materials handled during slag processing at Edw. C. Levy's Plant 6.

Based on the investigations, the following violation was 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 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, prevailing wind direction on the date the incident occurred, and past history of similar fallout incidents attributed to operations at Edw. C. Levy Plant 6, AQD staff has determined Edw. C. Levy Co. Plant 6 is the most likely source of the fallout incidents which prompted these investigations. In the professional judgment of

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AQD staff, the fallout observed during these investigations was sufficient enough as to constitute a violation of 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." Copies of the lab reports are enclosed.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by November 18, 2015 (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.

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. 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,



Jonathan Lamb
Senior Environmental Quality Analyst
Air Quality Division
313-456-4683

Enclosures

cc: Ms. LaReina Wheeler, City of Detroit, BSEED
cc/via email: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Ms. Teresa Seidel, DEQ
Mr. Thomas Hess, DEQ
Ms. Wilhemina McLemore, DEQ
Mr. Jeff Korniski, DEQ
Ms. Katie Koster, DEQ