



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
DETROIT DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

December 21, 2020

Mr. J. Keith Walker II, General Operations Manager
Edw. C. Levy Company, Plant 6
8800 Dix Avenue
Detroit, Michigan 48209

Mr. Matt Perko, Environmental Engineer
Edw. C. Levy Co.
51445 W. 12 Mile Road
Wixom, Michigan 48393

SRN: B4243, Wayne County

Dear Mr. Walker and Mr. Perko:

VIOLATION NOTICE

On September 14, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an investigation in response to a complaint of fallout in Detroit which allegedly occurred during the overnight hours from September 11 to 12, 2020. The scope of the investigation included the operations at Edw. C. Levy Plant 6 located at 13800 Mellon Street, Detroit, Michigan. The purpose of the investigation 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-B4243-2016.

During the investigation, a sample of the fallout was obtained and sent to a laboratory for analysis. Lab results indicate the composition of the sample is consistent with materials associated with slag processing at Edw. C. Levy's Plant 6. As a result, the following violation was observed during the investigation:

Process Description	Rule/Permit Condition Violated	Comments
Steel slag handling and processing operations	General Condition 12(b) of ROP No. MI-ROP-B4243-2016 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 sample, the proximity of Edw. C. Levy Plant 6 to the complainant's location, prevailing wind direction on the date the incident occurred, and

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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. In the professional judgment of AQD staff, the fallout observed during each of these investigations was sufficient as to constitute a violation of General Condition 12(b) of ROP No. MI-ROP-B4243-2016 and R 336.1901(b): an "unreasonable interference with the comfortable enjoyment of life and property." Copies of the lab report are enclosed.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by January 11, 2021 (which coincides with 21 calendar days from the date of this letter). The written response should include: the date 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.

Please submit the written response to the EGLE, AQD, Detroit District, at 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 and submit a copy to Ms. Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Edw. C. Levy Plant 6 believes the above observations or statements are inaccurate or do not constitute a violation 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,



Katherine Koster
Environmental Engineer Specialist
Air Quality Division
313-418-0715

Enclosure

cc: Mr. Paul Max, City of Detroit BSEED
Ms. Mary Ann Dolehanty, EGLE
Dr. Eduardo Olaguer, EGLE
Mr. Christopher Ethridge, EGLE
Ms. Jenine Camilleri, EGLE
Dr. April Wendling, EGLE
Mr. Jeff Korniski, EGLE
Mr. Jon Lamb, EGLE