



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DETROIT



C. HEIDI GREETHER  
DIRECTOR

November 21, 2018

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

SRN: B4243, Wayne County

Dear Mr. Smith:

**VIOLATION NOTICE**

On September 23, 2018, Mr. Jonathan Lamb of the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an investigation in response to a citizen complaint regarding fallout in Melvindale, Michigan. The alleged fallout occurred in the early morning hours of September 23, 2018. The scope of the investigation included the operations at Edw. C. Levy Co. Plant 6 located at 13800 Mellon Street, Detroit, Michigan. The purpose of the investigation was to determine Edw. C. Levy Co. Plant 6'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 Air Pollution Control Rules; and Renewable Operating Permit (ROP) No. MI-ROP-B4243-2016.

During the September 23, 2018 investigation, AQD collected a sample of the fallout and sent it to a laboratory for analysis. Lab results indicate that the sample is consistent with slag dust associated with the steel manufacturing process. Edw. C. Levy Co. Plant 6 handles and processes slag associated with the steel manufacturing process (i.e. steel slag).

Based on the investigation, 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-B4243-2016  R 336.1901(b)	On September 23, 2018, 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 your facility to the complainant's home, prevailing wind direction during the early morning hours of September 23, 2018, and past history of similar fallout incidents attributed to operations at Edw. C. Levy Co. Plant 6, AQD staff has determined Edw. C. Levy Co. Plant 6 is the most likely source of the fallout incident which prompted this investigation. In the professional judgment of AQD staff, the fallout observed during this investigation 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 report are enclosed.

Additionally, on September 20, 2018, the complainant contacted the AQD to provide a self-collected sample of material from an alleged fallout event that occurred sometime between the early morning hours of September 15, 2018 and the early morning hours of September 16, 2018. Mr. Lamb picked up the sample on September 21, 2018 and sent it to a laboratory for analysis. The results of this sample are also contained in the enclosed laboratory report and are consistent with slag dust associated with the steel manufacturing process.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by December 12, 2018 (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.

Please submit the written response to the DEQ, 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 the DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

If Edw. C. Levy Co. 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.

Mr. Thomas Smith  
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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,

A handwritten signature in blue ink that reads "Wilhemina McLemore for".

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

Enclosure

cc: Mr. Tom Green, Edw. C. Levy Co.  
Mr. Matt Perko, Edw. C. Levy Co.  
Ms. Mary Ann Dolehanty, DEQ  
Dr. Eduardo Olaguer, DEQ  
Mr. Christopher Ethridge, DEQ  
Ms. Jenine Camilleri, DEQ  
Ms. Wilhemina McLemore, DEQ  
Mr. Jeff Korniski, DEQ  
Mr. Jonathan Lamb, DEQ