



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DETROIT FIELD OFFICE



DAN WYANT  
DIRECTOR

January 4, 2013

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

SRN: B4364: Wayne County

Dear Mr. Smith:

**VIOLATION NOTICE**

On December 3, 2012, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), investigated a complaint received regarding fallout observed earlier that morning, allegedly attributable to Edward C. Levy Company – Plant 3 (“Edw. C. Levy”) located at 100 Westfield, Ecorse, Michigan. The purpose of this complaint 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 the conditions of Renewable Operating Permit (ROP) number MI-ROP-B4364-2009.

During the investigation, AQD staff observed heavy fallout on the complainant’s vehicles. A sample was collected and sent to a laboratory for analysis. The attached lab results show the samples were predominantly materials associated with waste products from iron and steel manufacturing, including calcite, slag, ferromagnetic particles, and fused and unfused ash, which are handled by Edw. C. Levy – Plant 3. Meteorological data indicates that complainant was downwind of Edw. C. Levy – Plant 3 during the morning hours of December 3, 2012. As a courtesy, AQD notified your staff of the complaint via email after collecting the sample on the afternoon of December 3, 2012.

Based on the investigation and sample results, AQD staff has verified the following violation:

Process Description	Rule/Permit Condition Violated	Comments
Steel slag processing operations	R 336.1901(b)  General Condition 12(b) of ROP No. MI-ROP-B4364-2009	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.
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In the professional judgment of AQD staff, the fallout observed during the investigation constitutes a violation of Rule 901(b) (and General Condition 12(b) of ROP No. MI-ROP-B4364-2009), which states:

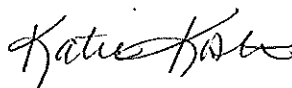
Notwithstanding the provisions of any other department rule, a person shall not cause or permit the emission of an air contaminant or water vapor in quantities that cause . . . [u]nreasonable interference with the comfortable enjoyment of life and property.

Please initiate actions necessary to correct the cited violation and submit a written response to this Violation Notice by January 18, 2013 (which coincides with 14 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.

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.

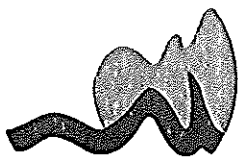
Sincerely,



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

Enclosure

cc: Mr. Tom Green, Edw. C. Levy  
Mr. Joe Stachurski, Edw. C. Levy  
cc/via email: Ms. Lynn Fiedler, DEQ  
Ms. Teresa Seidel, DEQ  
Mr. Thomas Hess, DEQ  
Ms. Wilhemina McLemore, DEQ  
Mr. Jonathan Lamb, DEQ



**CITY OF GRAND RAPIDS**  
ENVIRONMENTAL SERVICES DEPARTMENT

**RECEIVED**

DEC 26 2012

AIR QUALITY DIVISION  
DETROIT OFFICE

Date Received: 12/11/2012

Date Reported: 12/18/2012

Received from: Jon Lamb; MDEQ-AQD.

Laboratory Number: 1204791

**Description:**

1. Laboratory #1204791– A small Petri dish containing a few milligrams of particles. The sample is identified as: "JWL; 12/3/12, 3:00 PM, 4091 W. Jefferson, Ecorse, Truck".

**Results:**

Microscopic examination reveals the following:

1. #1204791 – This sample consists of a mixture of particles. Particles consistent in properties with calcite make up ~30% of the sample. Transparent, vitreous, colorless to yellow and brown, rounded and flat, angular particles, similar in appearance to slag make up ~10% of this sample. Particles which are consistent in properties with quartz make up ~10% of the sample. Rough red/brown, irregular particles similar in appearance to un-fused ash are present at ~ 10 %. Black, opaque, rough, irregular particles similar in appearance to burned fuel are present (~10%). Black, opaque, rough, irregular, particles, which are affected by a magnetic field, make up ~10% of this sample. Clear and dark, spherical particles similar in appearance to fused ash make up ~10% of the sample.

Michael Bussey, Chemist II  
Grand Rapids Environmental Laboratory

**Wastewater Treatment**  
Administrative Offices  
1300 Market Avenue SW  
Grand Rapids, MI 49503  
Tel: (616) 456-3625  
Fax: (616) 456-3711

**Engineering**  
1900 Oak Industrial Dr NE  
Grand Rapids, MI 49505  
Tel: (616) 456-3690  
Fax: (616) 456-3138

**Sewer Maintenance**  
660 Market Avenue SW  
Grand Rapids, MI 49503  
Tel: (616) 456-3246  
Fax: (616) 456-3736

**Stormwater Management**  
1120 Monroe NW  
Grand Rapids, MI 49503  
Tel: (616) 456-3253/3127  
Fax: (616) 456-4088