



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



C. HEIDI GRETHER
DIRECTOR

October 21, 2016

Mr. Thomas Smith, General Manager
Edward C. Levy Company Plant 3
100 Westfield
Ecorse, MI 48229

SRN: B4364, Wayne County

Dear Mr. Smith:

VIOLATION NOTICE

On July 13, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted an inspection of Edward C. Levy Company Plant 3 (Levy) located at 100 Westfield Street, Ecorse, Michigan. The inspection was performed to determine Levy's compliance status 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-B4364-2015.

Based on the inspection and follow up records review, the following violations were noted:

Process Description	Permit Condition Violated	Comments
Source-Wide	MI-ROP-B4364-2015, B.Source-Wide Conditions, III.C.1	Failure to clean paved roads with a power flush truck on a daily basis, weather permitting.
Source-Wide	MI-ROP-B4364-2015, B.Source-Wide Conditions, VII.4	Failure to submit quarterly reports identifying each day in which an operational requirement was not met.

Levy submitted records via email on July 29, 2016. A review of the records indicates that the paved roads were not cleaned daily, weather permitting, with a power flush truck for the time period reviewed from January 1, 2016 through June 30, 2016 as required in MI-ROP-B4364-2015, B. Source-Wide Conditions, III.C.1

MI-ROP-B4364-2015, B. Source-Wide Conditions, VII.4 states: "A quarterly report shall be submitted by the permittee to AQD identifying each day in which an emission limit, operational requirement, or recording requirement, as specified in SIP No. 17-1993 (Revised 9/9/94) Exhibit A (Fugitive Dust Control Plan, Edward C. Levy Co. – Plant #3), was not met. This report shall, for each instance, explain the reason that the emission

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limit, operational requirement, or recordkeeping requirement was not met, the duration of the event, the remedial action taken, and a description of the steps which were taken to prevent a recurrence. These reports shall be submitted within 30 days following the end of the calendar quarter in which the data was collected." Quarterly reports for the 1st and 2nd quarter 2016 should have been submitted identifying each day that there was a failure to power flush the paved roads, weather permitting.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by November 11, 2016 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

If Levy believes the above observations or statements are inaccurate or do not constitute violations of the applicable legal requirement cited, please provide appropriate factual information to explain your position. Thank you for your attention to resolving the violations cited above. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



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

cc: Mr. Gerry Williams, Levy
Mr. Tom Green, Levy
cc via email: Ms. Lynn Fiedler, DEQ
Ms. Mary Ann Dolehanty, DEQ
Mr. Chris Ethridge, DEQ
Mr. Thomas Hess, DEQ
Ms. Wilhemina McLemore, DEQ
Mr. Jeff Korniski, DEQ